

Me., favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. MULLER: Petition of 16 citizens of Tottenville, N. Y., for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. NEEDHAM: Petition of 15 citizens of Hemet, Cal., favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. RIORDAN: Petition of the Chicago Federation of Labor for the reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. ROBERTSON of Louisiana: Petition of citizens of Pointe Coupee Parish, La., urging an appropriation for the destruction of the plant known as the water hyacinth in navigable streams in Louisiana—to the Committee on Rivers and Harbors.

By Mr. RUPPERT: Resolutions of the Chicago Federation of Labor, opposing the cession of the lands of the States and recommending the Government building of irrigation works—to the Committee on the Public Lands.

By Mr. RYAN of New York: Petition of Chicago Federation of Labor for irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, petitions of J. R. Loveless and 63 others of Potsdam, N. Y., and Rev. S. S. Cobb and 363 others for the prohibition of intoxicating liquors in certain islands—to the Committee on Alcoholic Liquor Traffic.

By Mr. SULZER: Petition of the Chicago Federation of Labor, advocating the holding of public lands in the West for the benefit of the people—to the Committee on the Public Lands.

Also, petition of the New York Board of Trade and Transportation, in regard to reduction of war tax—to the Committee on Ways and Means.

By Mr. THOMAS of North Carolina: Resolution of the North Carolina Society of the Cincinnati, at its meeting in Raleigh, N. C., relative to the Nash and Davidson monuments—to the Committee on the Library.

By Mr. VREELAND: Petition of Woman's Christian Temperance Union of Dunkirk, N. Y., for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. YOUNG: Petition of the Chicago Federation of Labor, advocating the holding of the public lands in the West for the benefit of the people—to the Committee on the Public Lands.

SENATE.

FRIDAY, March 1, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PLATT of New York, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, without objection.

LIST OF JUDGMENTS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 26th ultimo, a list of judgments rendered by the Court of Claims not heretofore reported to Congress, amounting to \$309,919.88.

The Chair calls the attention of the Senator from Iowa [Mr. ALLISON] to the communication and accompanying papers. Does the Senator desire to have them printed?

Mr. ALLISON. I ask to have them printed and referred to the Committee on Appropriations, and I hope the Public Printer will be admonished to have them returned by to-morrow morning.

The PRESIDENT pro tempore. The communication and accompanying papers will be ordered to be printed and referred to the Committee on Appropriations.

LIST OF CLAIMS ALLOWED.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 26th ultimo, a list of claims allowed by the accounting officer of the Treasury under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

INSPECTION OF BUILDINGS IN THE CITY OF WASHINGTON.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in connection with the report submitted on the 27th ultimo, a final report of inspection of buildings in the city of Washington occupied by the

War Department, made by Maj. John Tweedale, assistant chief of the Record and Pension Office; which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

NAVAJO INDIAN RESERVATION LANDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 7th ultimo, a letter from the Commissioner of Indian Affairs, together with copies of all papers relating to the location, right of location, claimed leased acquisition of title to mining land or the privileges of exploring for minerals on any part of the Navajo Indian Reservation in Arizona and New Mexico; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 7760) for the relief of James Kelly; and

A bill (H. R. 13865) relative to the suit instituted for the protection of the interests of the United States in the Potomac River Flats.

The message also announced that the House had passed the following bills and joint resolution:

A bill (S. 5935) authorizing the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery; Ala.;

A bill (S. 6012) to provide an American register for the steam yacht *May*;

A bill (S. 6054) authorizing the Texas and Pacific Railway Company to construct a bridge across Red River, Louisiana; and

A joint resolution (S. R. 164) giving the Commissioners of the District of Columbia authority to provide for the public comfort.

DELINQUENT CHILDREN IN THE DISTRICT OF COLUMBIA.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13067) to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, and 6; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: At the end of line 1 of said amendment insert "of sufficient financial ability," and in line 3 strike out "willfully and unnecessarily;" and the Senate agree to the same.

JAMES McMILLAN,
WILLIAM P. DILLINGHAM,
RICHARD E. KENNEY,
Managers on the part of the Senate.
J. W. BABCOCK,
JOHN J. JENKINS,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

PROTECTION OF BIRDS AND PRESERVATION OF GAME.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons, in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

On page 1, line 11, of the bill strike out "1st day of February" and insert "15th day of March;" and on page 2, line 13, of the bill strike out "1st day of February" and insert "15th day of March;" and the Senate agree to the same.

That the House agree to the amendments of the Senate numbered 2 and 3.

JAMES McMILLAN,
J. H. GALLINGER,
THOMAS S. MARTIN,
Managers on the part of the Senate.
J. W. BABCOCK,
JOHN J. JENKINS,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented petitions of S. Ira Paine and sundry other citizens of Horseheads, of the Woman's Christian Temperance Union of Dunkirk, and of the Literary and Scientific Circle of Chautauqua, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors, firearms, and opium in the New Hebrides and other Pacific Islands; which were ordered to lie on the table.

He also presented a petition of Local Union, No. 246, Cigar Makers' International Union, of Salamanca, N. Y., and a petition

of Local Union of the International Cigar Makers' Union, of New York, praying for the enactment of legislation to limit the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented a petition of the Burnet Park Woman's Christian Temperance Union, of Syracuse, N. Y., praying for the enactment of legislation to replace any loss in company funds which may arise in consequence of the abolition of the Army canteen; which was ordered to lie on the table.

He also presented the petition of C. E. Thorne, of Horseheads, N. Y., praying for the enactment of legislation providing for the readjustment of the salaries of postmasters who served in certain States from July 1, 1864, to June 30, 1874; which was ordered to lie on the table.

Mr. LODGE presented petitions of the Woman's Christian Temperance Union, the First Congregational Church, the Methodist Episcopal Church, and the First Baptist Church, all of Somerset, Mass.; of the Marble Collegiate Church, of New York City, and the West End Presbyterian Church, of New York City; of the Greenpoint Sunday School Association, of Brooklyn, N. Y., and of the Central Presbyterian Church, of Summit, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors, opium, and firearms in the New Hebrides and other islands of the Pacific; which were ordered to lie on the table.

Mr. NELSON presented a petition of sundry citizens of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of 760 citizens of Illinois, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of London Grove Grange, No. 63, Patrons of Husbandry, of Chatham, Pa., praying for the repeal of the revenue tax on drafts, checks, etc.; which was ordered to lie on the table.

He also presented a petition of Local Union No. 64, Painters and Decorators' Union, of Pittsburg, Pa., praying that all the public lands be held for the benefit of the whole people, and that no grant to the title of any of these lands be given to any but actual settlers and home builders thereon; and also for the construction of storage reservoirs to save the flood waters of the country; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented petitions of 42 citizens of Beaver; 116 citizens of Philadelphia; the Woman's Christian Temperance Union of Homer City; the Society of the King's Daughters and Sons; of 43 citizens of Raymilton; the congregation of the Presbyterian Church of Plains; of 185 citizens of Ridgway; the Woman's Christian Temperance Union of Montrose; of H. D. Rupp, of York, and of the congregations of the First Reformed, the Swedish Evangelical Lutheran, the African Baptist, the Fifth Avenue Baptist, the First Methodist Episcopal, the West End Methodist Episcopal, the Christy Park Methodist Episcopal, the Home Mission, the Coursin Street Methodist Episcopal, the Reformed Presbyterian, the Central Presbyterian, and the First Christian churches, of McKeesport, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors, opium, and firearms in the New Hebrides and other islands of the Pacific; which were ordered to lie on the table.

He also presented petitions of 38 citizens of West Mill Creek, of the Woman's General Missionary Society of the United Presbyterian Church, of 48 citizens of Philadelphia, and of 50 citizens of Petrolia, all in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. SPOONER presented the following memorial of the legislature of Wisconsin; which was ordered to lie on the table and be printed in the RECORD:

Memorial to Congress for the repeal of that part of the war-revenue act passed by Congress on June 13, 1898, which levies a tax on legacies and distributive shares of personal property.

The memorial of the legislature of Wisconsin to the Congress of the United States respectfully shows that in the opinion of the legislature the imposition of inheritance or succession taxes belongs, except in certain exigencies, to the domain of State taxation; that the emergency of war which may have justified the feature of the national war-revenue act of June 13, 1898, levying a tax on legacies and distributive shares of personal property has now passed away; that many of the States have already adopted, and many more will soon adopt such inheritance-tax laws, and if such feature of the national act remains in force a large amount of property in the country will be subjected to double taxation, once by the Federal Government and again by the State; and that it is expedient and would be good governmental policy that the part of such national revenue act imposing a tax on legacies and distributive shares be repealed and this feature of taxation be left entirely to the jurisdiction and control of the States. It is the purpose of this memorial, therefore, to respectfully request of Congress the repeal of said feature of the revenue act during the present session.

Resolved, That the governor be, and he is hereby, requested to transmit a

copy of this memorial to the President of the Senate and to the Speaker of the House of Representatives and to each of the Senators and Representatives from the State of Wisconsin.

JESSE STONE,
President of the Senate.

GEORGE H. RAY,
Speaker of the Assembly.

Mr. KYLE presented a petition of the Woman's Christian Temperance Union of South Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors, opium, and firearms in the New Hebrides and other islands of the Pacific; which was ordered to lie on the table.

He also presented resolutions adopted by the Federation of Labor of Chicago, Ill., favoring the holding of all public lands for actual settlers, and for the construction of reservoirs for the irrigation of arid lands, etc.; which was referred to the Committee on Public Lands.

Mr. FRYE presented a memorial of the National Civil Service Reform League of New York, remonstrating against the enactment of legislation giving preference to veterans in the public service; which was referred to the Committee on Civil Service and Retrenchment.

UNLAWFUL TRADE RESTRAINTS AND MONOPOLIES.

Mr. PETTIGREW. I present a letter prepared by Hon. F. S. Monnett, attorney-general of the State of Ohio, on the subject of the anti-trust bill. I move that the letter be printed as a document and referred to the Committee on the Judiciary.

The motion was agreed to.

AGREEMENTS WITH CHEROKEE AND MUSCOGEE INDIANS.

Mr. THURSTON. I present the hearings before the conference committee of the Senate and House of Representatives on House bill 11820, to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, and also on House bill 11821, to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes. I move that they be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 4338) for the erection of a public building at Georgetown, S. C., reported it without amendment, and submitted a report thereon.

Mr. WETMORE, from the Committee on the Library, reported an amendment proposing to appropriate \$4,000 for the preparation of a site and the erection of a pedestal for a statue of the late Henry Wadsworth Longfellow in the city of Washington, intended to be proposed to the sundry civil appropriation bill, and moved that it lie on the table; which was agreed to.

Mr. COCKRELL, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (H. R. 231) for the relief of John Dailey;

A bill (S. 1370) to correct the military record of William T. Rominger; and

A bill (S. 3511) for the relief of Capt. Charles A. De Arnaud.

HISTORY OF THE CAPITOL.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Ordered, That of Senate Document No. 60, Fifty-sixth Congress, first session, all copies delivered to the Senate document room be bound in cloth.

REPORT OF GEOLOGICAL SURVEY.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 306) concerning printing of additional copies of the Annual Report of the Geological Survey, to report it without amendment, and I ask for its present consideration.

The Secretary read the joint resolution; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that of the volumes or parts of the Annual Report of the Geological Survey which relate to hydrography, forestry, and mining and mineral resources there shall hereafter be published 1,000 copies in addition to the number now published, for distribution by the Geological Survey.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT OF DIRECTOR OF THE MINT.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring). That there be printed 6,000 additional copies of the Report of the Director of the Mint on the Production of the Precious Metals for the Calendar Year 1899, bound in cloth and wrapped, 2,000 copies for the use of the House of Representatives,

1,000 for the use of the Senate, and 3,000 copies for the use of the Director of the Mint.

And be it further resolved, That there also be printed 8,000 additional copies of the report of the Director of the Mint covering the operations of the mints and assay offices of the United States for the fiscal year ended June 30, 1900, to be bound in cloth and wrapped, 2,000 copies for the use of the Senate, 3,000 for the use of the House of Representatives, and 3,000 for the use of the Director of the Mint.

AGRICULTURAL RESOURCES OF PORTO RICO.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed from the stereotype plates in the Government Printing Office 5,000 copies of House of Representatives Document No. 171, Fifty-sixth Congress, second session, entitled Agricultural Resources and Capabilities of Porto Rico, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for the use of the Department of Agriculture, the quality of paper and style of binding to be the same as in the original edition of the publication.

AGRICULTURAL INVESTIGATIONS IN ALASKA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed from the stereotype plates in the Government Printing Office 5,000 copies of House of Representatives Document No. 335, Fifty-sixth Congress, second session, entitled Fourth Report on the Agricultural Investigations in Alaska, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for the use of the Department of Agriculture, the quality of paper and style of binding to be the same as in the original edition of the publication.

PORT OF LOWELLTOWN, ME.

Mr. NELSON. I am directed by the Committee on Commerce, to whom was referred the bill (S. 5943) to establish Lowelltown, Me., a subport of entry, to report it with amendments. It is very short, and I ask for its immediate consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The amendments of the Committee on Commerce were, in line 5, before the word "Maine," to strike out "Bath" and insert "Bangor," and in the same line, after the word "Maine," to strike out:

And that the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, be, and are hereby, extended to said port.

So as to make the bill read:

Be it enacted, etc., That Lowelltown, Me., be, and is hereby, established as a subport of entry in the customs collection district of Bangor, Me.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMILIE L. MAJOR AND OTHERS.

Mr. MCOMAS, from the Committee on Claims, to whom were referred the following bills:

- A bill (S. 884) for the relief of Emilie L. Major;
- A bill (S. 2146) for the relief of Jacob Bool, administrator of the estate of Mary C. Kleindienst, deceased;
- A bill (S. 2503) for the relief of Deford & Co., of Baltimore, Md.;
- A bill (S. 3367) for the relief George Brewer;
- A bill (S. 4890) for the relief of Horace Resley;
- A bill (S. 5328) for the relief of inspectors of customs who performed double duty;
- A bill (S. 5691) for the relief of John Q. Everson and others; and

A bill (S. 5896) for the relief of the legal representatives of Jacob C. Blum, deceased—reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the claims represented by the following bills, to wit: S. 884, S. 2146, S. 2503, S. 3367, S. 4890, S. 5328, S. 5691, and S. 5896, for the relief of Emilie L. Major; for the relief of Jacob Bool, administrator of the estate of Mary C. Kleindienst, deceased; for the relief of Deford & Co.; for the relief of George Brewer; for the relief of Horace Resley; for the relief of inspectors of customs who performed double duty; for the relief of John Q. Everson and others, and for the relief of the legal representatives of Jacob C. Blum, deceased, now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

JAMES BIGLER.

Mr. DEPEW, from the Committee on Claims, to whom was referred the bill (S. 3583) for the relief of James Bigler, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 3583) entitled "A bill for the relief of James Bigler," now pending in the Senate, together with all the accompanying papers,

be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

BONDS OF PIMA COUNTY, ARIZ.

Mr. DILLINGHAM. I should like to call up the conference report on House bill 8068.

The PRESIDENT pro tempore. The Senator from Vermont calls up a conference report which has been previously submitted. The report will be stated.

The SECRETARY. Report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 8068, "An act authorizing the board of supervisors of Pima County, Ariz., to issue fifty-year 5 per cent bonds of Pima County, Ariz., to redeem certain funded indebtedness of said county."

The PRESIDENT pro tempore. The report has been read in full. Will the Senate agree to the report?

The report was agreed to.

Mr. PETTIGREW. I enter a motion to reconsider the vote by which the conference report was agreed to.

The PRESIDENT pro tempore. The Chair will consider the question open, if the Senator desires.

Mr. PETTIGREW. No; I am perfectly willing that it shall be agreed to, but I will enter my motion now.

The PRESIDENT pro tempore. The Senator from South Dakota enters a motion to reconsider the vote by which the conference report was agreed to.

REPORT ON CUBAN AFFAIRS.

Mr. PLATT of Connecticut. From the Committee on Relations with Cuba, who were instructed by a resolution of the Senate to investigate certain matters regarding the receipts and expenditures within the island of Cuba, I submit a report, and therewith certain statements which have been secured by the committee and printed. If it is desired that the report should be read, it may be read. Otherwise, I ask that it lie on the table, and be printed.

The PRESIDENT pro tempore. The Senator from Connecticut, from the Committee on Relations with Cuba, makes a report; which will be printed, and lie on the table. He also reports certain testimony taken, and papers. Does the Senator make any request as to the printing of the testimony?

Mr. PLATT of Connecticut. No request.

Mr. MONEY. I shall be glad to have permission to make a minority report, if I see fit to do so after reading the report. I have not seen nor read the report.

The PRESIDENT pro tempore. There being no objection, the Senator from Mississippi will have permission to file views of the minority.

Mr. MONEY. Allow me; I do not know that I will make a minority report, but I should like to have that privilege if I disagree with the report of the majority.

The PRESIDENT pro tempore. The request of the Senator from Mississippi to submit views of the minority, without objection, is granted.

BILL INTRODUCED.

Mr. PROCTOR introduced a bill (S. 6065) to establish a national military park at the battlefield of Fort Stevens, in the District of Columbia; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. CARTER submitted an amendment authorizing the Secretary of War to furnish to each Senator, Representative, and Delegate of the Fifty-sixth Congress five sets of the Official Records of the War of the Rebellion, to be distributed by the Secretary of War to such permanent libraries and educational institutions as may be designated by the Senators, Representatives, and Delegates, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ALLEN submitted an amendment authorizing the Secretary of the Treasury to pay to Henry T. Clarke the sum of \$5,500 for the value and rent of buildings in Sarpy County, Nebr., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. PLATT of New York submitted an amendment proposing to appropriate \$50,000 for the completion of the custom-house and post-office building at Buffalo, N. Y., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PRIVILEGES OF OFFICERS IN THE NAVY.

Mr. ALLEN. I send to the desk and ask for the present consideration of the following resolution.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate if commissioned officers in the naval service promoted from the ranks are in any respect debarred the use of the uniform and other privileges of commissioned officers of the Navy; whether there is any distinction in the insignia of office of such officers and the officers graduates of the Naval Academy; and if so, why, and what steps are being taken, if any, to permit this class of officers to wear the regular insignia and uniform of the naval officers graduated at the Naval Academy.

Mr. CHANDLER. I ask that the resolution may go over.

The PRESIDENT pro tempore. The resolution will go over under the rule.

LIEUT. COL. H. O. S. HEISTAND.

Mr. PETTIGREW. I offer a resolution and ask that it be read and lie over under the rule.

The resolution was read, as follows:

Whereas it has been charged in the public prints that Lieut. Col. H. O. S. Heistand, assistant adjutant-general, was in the summer of 1899 engaged in forming a combination for the purpose of controlling the hemp output of the Philippine Islands; and

Whereas it is further stated that on various occasions he represented as associated with him in the progress of such enterprise George D. Meiklejohn, Assistant Secretary of War; James E. Boyd, Assistant Attorney-General; Charles H. Allen, then Assistant Secretary of the Navy, and H. C. Corbin, Adjutant-General; and

Whereas it is further stated that in connection with the formation of such company said Lieut. Col. H. O. S. Heistand, intending to indicate that the tariff duties of the Philippine Islands would be adjusted for its benefit when formed, wrote the following letter:

WASHINGTON, D. C., July 31, 1899.

MY DEAR MAJOR HAWKS: Your note of the 26th to hand, and I note with gratification what you say of our prospects and progress. I have sent you a pamphlet showing export duties, etc., as at present arranged. Of course the needs of the future will be met as developments require.

Yours, truly,

H. O. S. HEISTAND.

And

Whereas it is alleged that because of a claim made by Major Hawks upon Lieutenant-Colonel Heistand for compensation for his services in connection with the formation of such company and in part settlement thereof, George D. Meiklejohn, Assistant Secretary of War, guaranteed to Major Hawks a substantial position in the Government service, and did appoint him to the position of customs inspector in the Philippine Islands; and

Whereas shortly after his entry upon service as such inspector, by an order dated before the commencement of said service, said Major Hawks was summarily removed from such position:

Resolved by the Senate of the United States of America, That the Committee on Military Affairs be, and it is hereby, directed to investigate and report to the Senate whether the foregoing statements are true, and particularly if Lieutenant-Colonel Heistand was engaged in such combination and was or was not authorized to represent that other Government officials were so engaged with him, and that tariff duties would be adjusted for their benefit; and also whether the Assistant Secretary of War has used Government positions for the purpose of paying private debts of any officer of the Government, and whether the salary of such position was charged against funds arising from the Philippine Islands; and with full authority to said committee to summon witnesses, administer oaths, and employ a stenographer.

The PRESIDENT pro tempore. The resolution goes over under the rule.

Mr. ALLEN. My colleague [Mr. THURSTON] is not in the Chamber this morning, and I think if he were here he would prefer that the resolution should go over under the rule.

The PRESIDENT pro tempore. It will go over under the rule, upon the request of the Senator from South Dakota.

INDIAN DEPREDAATION CLAIMS.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Attorney-General be directed to transmit to the Senate a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases requiring an appropriation by Congress, not heretofore reported at the present session.

THE OLEOMARGARINE BILL.

Mr. PROCTOR submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring). That there be printed 30,000 copies of the hearings before the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture, together with the briefs submitted relating to House bill No. 3717, 20,000 copies of which shall be for the use of the House and 10,000 copies for the use of the Senate. The usual number shall not be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 28th ultimo, approved and signed the following acts and joint resolution:

An act (S. 95) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah;

An act (S. 227) for the relief of the Continental Fire Insurance Company and others;

An act (S. 880) for the relief of L. O. Maddux, doing business as Maddux, Hobart & Co.;

An act (S. 6050) to create the eastern division of the northern Federal judicial district of Georgia, and for other purposes; and

A joint resolution (S. R. 157) authorizing the Secretary of the Interior to remove from the files of the Department of the Interior certain letters to be donated to the State of Iowa.

The message also announced that the President of the United

States had, on this day, approved and signed the following acts and joint resolution:

An act (S. 3481) to permit certain burials of the dead in the lands of the Protestant Episcopal Cathedral Foundation in the District of Columbia, and for other purposes;

An act (S. 5014) to authorize the Fourth Pool Connecting Railroad Company to construct and maintain a bridge across the Monongahela River; and

A joint resolution (S. R. 159) extending the time within which certain street railroads in the District of Columbia may be constructed.

LETTERS OF JEFFERSON ON CUBAN ANNEXATION.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. HANSBROUGH on the 18th ultimo, as follows:

Resolved, That the Secretary of State be, and he hereby is, directed to send to the Senate copies of letters written by Thomas Jefferson to President Madison and President Monroe concerning the annexation of Cuba.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. HOAR. Is the Senator who introduced the resolution present?

The PRESIDENT pro tempore. In the opinion of the Chair he is not.

Mr. HOAR. Very well; the Chair rules as a matter of parliamentary law that he is not present, which I think is entirely correct; and I hope the resolution will go over.

The PRESIDENT pro tempore. It will go over, retaining its place.

AUTOMATIC CAR COUPLERS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. PETTIGREW, as follows:

Resolved, That the Committee on Interstate Commerce be discharged from further consideration of H. R. 10302, an act to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. CULLOM. Mr. President, I hope this resolution to discharge the committee from the further consideration of the bill will not be adopted, and I express this hope for the reason that I do not think such a course ought to be pursued with reference to that committee.

The Senator from South Dakota will undoubtedly say that there have been two or three attempts to have a full meeting of the committee, which failed. That is true. At the same time it so happened that on each occasion when the committee had been called together, almost all of its members have been engaged in other committee work, which they could not leave. The result has been that there has been recently no committee meeting with a majority of members present to consider this bill.

I do not think, however, the Senator from South Dakota ought to desire that the committee should be discharged on that account. The committee has been doing its duty as well as it could. I have been anxious that this bill should be reported, but I found on close examination that there ought to be amendments to it. At one time I undertook to get a poll of the committee in the Senate, so as to avoid delay, but it so happened that I failed to get a majority of the committee in favor of the report, as I expected to be able to do. I found that there were amendments desired, and so I had the bill recommitted to the committee for further consideration.

There is, however, nothing in regard to this matter, I think, which justifies the Senator from South Dakota in asking that the committee be discharged from the consideration of the bill. I am still hoping to get a full meeting of the committee when the burden of the work of other committees is disposed of by bills pending before them being reported to the Senate. I still hope we shall have a committee meeting in time for the proper consideration of the bill, so that it may be reported in the regular order and amended as it should be.

Mr. PETTIGREW. Mr. President, this Congress expires on next Monday at noon. This committee have had this bill in their hands for over two years. On January 17, 1898, I introduced this bill in the Senate and it was referred to the Committee on Interstate Commerce. On February 16, 1898, I introduced a resolution which the Senate passed—

Mr. CULLOM. The Senator does not mean to say that he introduced this bill? The bill to which he now refers is a House bill.

Mr. PETTIGREW. I will give the history of the bill before I conclude my remarks.

Mr. CULLOM. I want the matter to be correctly understood.

Mr. PETTIGREW. I introduced a resolution on the 16th of February, 1898, to which what I shall now read is the response:

INTERSTATE COMMERCE COMMISSION,
Washington, February 16, 1898.

The PRESIDENT OF THE SENATE:

In compliance with the resolution of the Senate of December 7, 1897, "a list of the railroad companies of the United States that have complied with the requirements of the act of Congress approved March 2, 1893, requiring the use of safety appliances on cars and engines; also a list of those companies which have partially complied with the requirements of said act, and a list of the companies that have taken no steps to comply with the same; also the number of persons in the employ of the railroad companies of the United States killed or injured each year during the last five years, and the number so killed or injured in the employ of each railroad company," is hereby transmitted.

Respectfully,

MARTIN A. KNAPP, Chairman.

Then follows a table showing the number of men killed for the five previous years; that is, for the years 1893, 1894, 1895, 1896, and 1897. It shows that the total number of men killed during those five years was 5,954, and the total number of men injured was 138,403. It shows that in the year 1897 the number of men killed was 1,732 and the number injured 27,623; in 1896 the number killed was 1,861 and the number injured 29,969; in 1895 the number killed was 1,811 and the number injured 25,696; in 1894 the number killed was 1,823 and the number injured 23,395; in 1893, before the safety appliances were used, the number killed was 2,727, the number injured 31,724. Although the number of men employed increased the number of men killed and injured decreased, as the result of the passage of the legislation which required safety appliances.

Mr. President, all we asked in that bill was this:

That when any collision of trains, where one of the trains is a passenger train, or both the trains are passenger trains, shall occur on a railroad of any common carrier engaged in interstate commerce by railroad, or where any passenger train, or any part of a passenger train, accidentally leaves the rails of the road, it shall be the duty of the general superintendent, or general manager, or other officer in charge of the movement of trains on said road, immediately thereafter to transmit a full and detailed report, under oath, of such accident, and the causes thereof, so far as known, to the Interstate Commerce Commission at their office at Washington, D. C.

This was a bill that I introduced in 1898. I followed it up with the resolution calling for statistics upon this subject.

The Interstate Commerce Committee have never reported this bill, although it has been in their possession now for three years. At the last Congress, the House of Representatives passed a bill which is now before the committee. It came to this body some time last spring. It has been before the Committee on Interstate Commerce all winter and during this entire session, and we can not even get a report upon it.

The representative of the Locomotive Engineers and Firemen in this country, Mr. R. H. Fuller, has been here for weeks trying to secure a report. He has been importuning the Committee on Interstate Commerce, simply for what? Simply that they shall pass a bill requiring the railroads to file with the Interstate Commerce Commission a statement of the number of men they kill, or that are killed in their employ, the number injured, and the causes. They are important statistics. Why any railroad should object is more than I can understand. Why it should take the Committee on Interstate Commerce three years to consider this subject, and why they were unable all this winter to get a meeting at all is more than I can understand, unless the railroads want to defeat the measure and control the committee.

I ask to have the Secretary read the testimony of R. H. Fuller, legislative representative of the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen, the Order of Railway Conductors, the Brotherhood of Railway Trainmen, and the Order of Railroad Telegraphers, before the Senate Committee on Interstate Commerce, April 23, 1900, on the bill (S. 3604) to amend an act to promote the safety of employees, etc. I ask to have the Secretary read it.

The PRESIDENT pro tempore. If there be no objection, the Secretary will read as requested. The Chair hears none.

The Secretary read as follows:

Mr. CHAIRMAN: As the representative of the Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen, Order of Railway Conductors, Brotherhood of Railroad Trainmen, and the Order of Railroad Telegraphers, I would respectfully ask your favorable consideration of S. 3604.

The object of this bill is to require common carriers engaged in interstate commerce to report under oath to the Interstate Commerce Commission the details of all accidents to passenger trains, passengers, and employees. This information can not be obtained by the present law, and it is impossible through the present plan of collecting information to make proper classifications of injuries and their causes.

For instance, an employee whose duties are mostly the coupling of cars may get injured or killed by being knocked off a car. In many instances the cause of such accident would be reported to the commission as "coupling cars," reported so for the reason that the man's duties were those of coupling of cars. Or a switchman may, while making a coupling, get a foot caught in a frog, guard rail, crossing plank, or a hole in a platform, and be run over. The cause of this injury would be reported as "coupling cars," for the reason that he was coupling cars when he got his foot caught; but the real cause of the injury was getting his foot caught. A trainman may be

knocked from the top of a train by the sudden application of the air brakes, caused by the bursting of a defective air hose or the train separating on account of a defective coupling. This accident would be reported under the head of "falling from trains," when the real cause of the injury was a defective air hose or a defective car coupling.

Then, too, a trainman may be either permitted or required to go out on duty without having had an opportunity to get sufficient sleep between trips. He may go to sleep and allow his train to be run into by another train, killing and injuring several of his fellow-employees, or, if it be a passenger train, several passengers may be killed or injured. All of these injuries would be reported under the head of "collisions," when the actual cause of them was that the company had either permitted or required this trainman to go out on duty when it well knew that he had not had sufficient time to rest after arriving from his previous trip.

I have had copied, and herewith submit to you, two verdicts of coroners' juries in cases where two men had been killed on the same road within a period of thirty-six days on account of the train crews being permitted and required to go on duty without sufficient time for rest and went to sleep and allowed their trains to be run into by other trains.

And in addition to the two men killed in these cases four others were seriously injured. If any of the members of your committee would take the trouble to go to the office of the Interstate Commerce Commission and examine the reports of this road for the year 1899, they will find there will be no detailed accounts of these accidents, and the causes of these two deaths and four injuries will be reported as "collisions" or "other causes."

We believe if the common carriers are required to report the details and causes of accidents to the Government it will contribute considerably to the safety of travel and employment on railroads, inasmuch as the companies will dislike very much to make reports of accidents the causes of which reflect more or less upon their management; and consequently they will take extra precautions against accidents.

We believe, too, that in order to further reduce the number of injuries, both by legislation and other means, we must first know the causes, so as to be able to go about it intelligently.

I am unable to perceive why there should be any serious objections made by the companies to the passage of this bill. I do not think there will be any by those managers who would like to see accidents reduced to a minimum.

So far as the work is concerned in making these reports to the commission, it will require very little extra labor on the part of the roads, for all the information necessary to make such reports is now collected and kept on file in their offices, it being the practice of officers of the roads to make thorough and searching investigations of all accidents of trains and injuries to employees and passengers, and this bill only asks that they give the Government a copy of the information that they have already on file in their offices.

Mr. PETTIGREW. Mr. President, I have petitions here asking for the passage of this bill. These petitions state that the bill was referred to the Committee on Interstate Commerce a year ago, on the 14th day of March, the bill having come over from the House of Representatives, and that the Brotherhood of Locomotive Engineers has been insistent ever since that the bill should pass. I think it is the most justifiable case I know of for discharging a committee which can never get a quorum. I have no criticism to make of the chairman of the committee; but this committee will not operate; the members will not attend meetings. The questions presented to this committee are not of enough importance, it would seem, and therefore the committee ought to be discharged from the consideration of this bill, and then the committee itself ought to be discharged and a new committee formed of men who will attend to their duties. I should think the chairman of the committee himself ought to bring in a resolution to that effect, so as to get a committee that will perform its functions. It is a great and important committee, which came into being as the result of the efforts of the Senator from Illinois [Mr. CULLOM]. I should think he would be tired of having a committee composed of men who will never meet.

The petitions which I have here are largely from West Virginia. I am not going to put them into the RECORD, because they attack the Senators from West Virginia for not having acted in this matter.

These petitions are from lodges of locomotive engineers and firemen. One is from Richard Wyatt Lodge, No. 544. In this petition they go on to give the reasons why this bill should be passed. This lodge is located at Point Pleasant, W. Va. Another is from Hinton, W. Va., from the lodge of locomotive engineers there. The statements are all under the seal of the lodge, urging the passage of this bill. Another contains resolutions of the lodge at Martinsburg, W. Va., urging the passage of Senate bill 3604; another is from Sewell, W. Va., urging the passage of the same bill. These men go on to say that it is a matter of great importance to them—to the locomotive engineers and to all men employed by the railroads—that this bill should be passed; and they think it will assist in preventing accidents, and therefore make life more secure in this hazardous employment.

I have also a resolution passed by the W. B. Ryder Lodge, No. 232, at Hinton, W. Va.; another resolution from a lodge at Point Pleasant, W. Va.; another from Grafton, W. Va., also urging and arguing why this bill should pass; and I have another from Lodge No. 477, which is also located in West Virginia.

It seems to me, Mr. President, that what we ought to do is, without any resistance on the part of this committee, to discharge it from the further consideration of this bill, place it upon the Calendar, and then proceed to its immediate consideration. It is a short bill, it has passed the other House, and the bill will die if it does not pass between now and Monday next. I can see no good reason why the bill should not be taken up and passed now.

Mr. HOAR. Mr. President, we get in the Senate, in the press, in magazines, and in private letters a great many wild schemes

for the regulation of great business enterprises, and especially for the regulation of railroads. Many of them are taking and plausible, as first stated, but if they were adopted they would destroy vast properties, they would destroy the value of the great carrying systems of the country, and in that way injure the whole country, not merely the business and trade, but an instrument of the greatest value and importance to the poor people. Many of those schemes are fraught with great public danger, and the best way to prevent them finding public favor is to hold these great business corporations to a strict performance of their public duties in plain cases.

One of their public duties, the clearest and possibly the plainest case, is that of having care and consideration for human life, whether it be the lives of passengers or the lives of the vast number of intelligent men who are in their employ. It is of immense importance that they should have intelligent men in their employ, and that their employ should be an object of desire for skillful, honest, sober, and temperate men, good citizens, and heads of families. That it may be an object of desire, it ought to be known that the railroad companies are as careful of the lives of these men as they would be of the lives of their directors. I do not mean to propose it—though I do not know but my friend from South Dakota [Mr. PETTIGREW] would, if he got a chance—but nobody doubts that it would add 50 per cent to the safety of passengers and workmen on our railroad trains if a railroad director were required to be tied in front of the engine of every passenger train. If they had that care for other lives that they would have for their own we should get some improvement.

The statistics of the injuries and loss of life to railroad employees are terrible; and this mild measure, that merely requires the return which is required, I suppose, in every State in regard to carriers engaged in State commerce, it seems to me is one that no reasonable railroad man ought to object to. I think that it ought to go further, and I wish somebody in the next Congress might introduce, and that this great committee might favor, a proposition such as prevails, I suppose, in nearly all the States in this country, that wherever there is loss of life on a railroad engaged in interstate commerce there should be an inquest like the ordinary coroner's inquest, which applies to every case of violent loss of life in England, and has in this country from the beginning. There should be an inquest conducted under the direction of the United States district attorney for the district, the result of which should be reported either to the Attorney-General or to the Interstate Commerce Commission. So that if there were time now to pass a bill, or to amend this bill, I should like to have such a provision added to it.

I do not mean for a moment to join in any criticism of the Committee on Interstate Commerce. I know nothing about the history which the honorable Senator from South Dakota has narrated; but as this great question is up, I wanted to state my opinion.

There was a proposition some years ago—

Mr. WOLCOTT. Mr. President—

Mr. HOAR. I will give way in a moment.

There was a proposition some years ago to require the railroads engaged in interstate commerce to adopt certain precautions in the way of safety in coupling cars—one of the most dangerous things in the railroad service—and I think it was finally adopted. I introduced originally, at the application of some very intelligent constituents of my own, that measure when it was first brought up here; and there was certainly nothing that could be called alacrity on the part of some of the great railroads in responding to that demand.

Mr. SEWELL. If the Senator will allow me, I merely wish to furnish the information that that law was carried out by the railroads at an expense of \$125,000,000.

Mr. HOAR. Well, if it had been at an expense of \$1,125,000,000 it would have been cheap if it saved the lives of 5,000 American citizens.

Mr. SEWELL. I only say that that was done.

Mr. HOAR. I understood, and I said so; but I say now that, while it was done, the proposition was by no means received with alacrity on the part of some of the great railroad systems of the country.

I am no enemy of railroads. I never would be for a moment engaged in a demagogic attack upon them, as the Senator from New Jersey [Mr. SEWELL] must know, if he knows me; but I say again, if you want to crush out wild socialistic, demagogic, political schemes and attacks on great business industries and interests in this country, those great interests must, in their turn, remove all reasonable and proper causes of complaint.

There are, I suppose, nearly a million employees—I do not know but more—in the service of the railroads of this country. They are a class of citizens who are far above the lowest class in this country. They are the equal of anybody in sobriety, in industry, in courage, in their intelligence, in their discharge of all the relations of life. They are the best, or as good as the best—I will not say "the best"—but as good as the best American citizenship that

we have got, and the question whether 5,000 lives of those men are sacrificed needlessly every year is a grave question, deserving the attention of the statesmanship of the country, even in its highest legislative Chamber.

I say again, that we ought not only to require these returns, but we ought to require an inquest in every case of loss of life, under the Government's authority, as the common law required in England and in this country from the beginning in other cases; and that if instead of costing \$125,000,000 a year, it should cost \$1,125,000,000 a year, it would be cheap if it saved the lives of our citizens.

Mr. WOLCOTT. Mr. President, I do not care for the moment to discuss this particular measure or the action of the committee. I am a member of the Committee on Interstate Commerce, and, in common with other members of that committee, have been engaged upon conference and other duties relating to other branches of the public service, but I am unwilling that the Senator from Massachusetts [Mr. HOAR] should make a statement to this Senate that would intimate that the managers and directors of the great railroads of the country are careless and inhuman men, who view with indifference the destruction of the lives of their employees.

If certain Senators had stated on the floor of the Senate that if we all knew that if directors were tied in front of their locomotives the loss of life would be less, nobody would have minded that, for everybody would have known it was an absurd and ridiculous statement, but for the Senator from Massachusetts to intimate that people having in charge these vast interests are indifferent or careless to human life is a statement that must not go unchallenged. Does not the Senator from Massachusetts know that every man in charge of these great interests devotes his constant care and time and skill and attention to the preservation of the lives of his employees? Ninety per cent of the accidents which occur on the railroads of the country are caused by the negligence of co or fellow employees. In spite of all the efforts of the railroads to secure not only the lives of their passengers, but the protection of the lives of their employees, it is impossible to prevent men from becoming careless.

The Senator refers to the adoption of the safety appliances that were compelled to be put upon the cars. Mr. President, there were only two objections—first, the great expense, and second, the impossibility of finding patents that would be universally applicable which would, in the opinion of the most skilled mechanics, best secure the safety of the employees. The trouble comes not with the inhumanity of railroad employers; it comes largely from the carelessness of their employees. It was in testimony before the commission that road after road furnished for its switchmen the sticks with which to couple cars so that it could be done with safety, and they never could get them to use them. They are a brave, reckless, careless lot of fellows, and the carelessness is bred by freedom from accident day after day, until finally some day they are caught in a frog or caught between cars and the accident comes.

The Senator from Massachusetts says there should be inquests, even if it cost a thousand million dollars a year to do it. Mr. President, there is not a railroad accident of the most unimportant character on any reputable road in the country where from the lowest to the highest everybody is not interrogated and compelled to make his report, and where the railroad management is not informed as to the cause of the accident, and it is done at enormous trouble and enormous expense. There is not an appliance that will help to save human life that the railroads are not quick to adopt.

Mr. ALDRICH. Will the Senator from Colorado permit me to interrupt him at this point?

Mr. WOLCOTT. Certainly.

Mr. ALDRICH. So far as I know, the laws of all the States of the Union require reports of this character to be made to their railroad commissions.

Mr. WOLCOTT. And if they did not they would—

Mr. ALDRICH. The company would make them anyway.

Mr. WOLCOTT. If they did not, the companies would make them anyway.

But, Mr. President, what I rose to object to was the suggestion that men who manage railroads are a great, bloated, indifferent, inhumane lot of men who are willing that their switchmen and their brakemen and their conductors shall be run over day after day, provided only their pockets can be filled with dividends. Mr. President, they are like the rest of us. They are men of ability or they would not have their places, and if they were not men of character their stockholders would not intrust them with the management of these great interests; and I resent, Mr. President, the suggestion made that railroads are so conducted that human life would be safer if their directors were tied in front of the locomotives.

Mr. HOAR. Mr. President, I desire to say one word. The suggestion which my honorable friend the Senator from Colorado resents is a creature of his own heated imagination. No human

being has said any such thing as he explodes about, like Vesuvius, though with all the gas and none of the lava. [Laughter.]

Mr. President, he says and I say that the railroad managers of this country are in the main humane, careful men, who respect human life. Nobody doubts it. They are not only humane, but human, and it is the tendency of all human nature, when it is charged with great money-making responsibilities, to get careless about other things and careful of the money-making, and the experience of all mankind shows that the strictest legislative safeguards are necessary against that tendency.

While the Senator from Colorado was speaking the Senator from Rhode Island [Mr. ALDRICH] got up to say that the precise thing which I said ought to be done in the matter of interstate and international commerce was done in every State in this Union in regard to other commerce.

Mr. ALDRICH. If the Senator will permit me, there is no question of State or interstate commerce involved here. The accident must be in some State, and under the jurisdiction of some State, and the reports are made to the State authorities.

Mr. HOAR. I differ with my honorable friend who thinks there is no question of interstate or international commerce here. I think, so far as relates to merely interstate or international commerce, the decisions of the Supreme Court of the United States deprive the States of the power to make the precise regulation which is in question. Whether they are in force or not, they are not lawfully and constitutionally in force.

Mr. ALDRICH. Does the Senator mean to say that Congress has any jurisdiction over accidents to property or to life in the States, especially to life?

Mr. HOAR. I do mean to say that when interstate or international commerce is being conducted by a common carrier, we have the constitutional authority to require of that common carrier proper safeguards for life and limb; and we have asserted, and the committee of which the Senator from Illinois [Mr. CULLOM] is chairman have again and again asserted, our right to exercise that jurisdiction.

But I desire to go back to what my bellicose friend from Colorado has been saying. One of the best railroad engineers—I speak now of the engineer who manages the locomotive—I ever knew, a man who was respected in the community where I dwell for more than fifty years, as an engineer on the Boston and Worcester Railroad in old times, a native of the town where I was born, said that he was entirely unmanned when his wife or children were on the train that he was conducting. The anxious responsibility when a man has the life of those who are dear to him at stake is very different from the feeling of the man who has been thirty or forty years in such a business, looking out for the dividends. Everybody knows that in regard to steamboats, the local steamboats and the international steamboats that carry passengers, we require the most constant and strict regulation by Congress in regard to security for life and limb. Everybody knows that but for our inspections and our strict laws the risk of passengers at sea and on our rivers would be doubled and trebled. Does anybody doubt that the owner of the Western steamer has not a humane regard for his passengers when he is on board and the captain is racing with a rival and he puts a negro to sit on the safety valve? My usually sensible friend is utterly preposterous this morning.

We have a right to require, and it is our duty to require, of the great international transportation lines that carry passengers, the strictest security for human life which the wit of man can devise. It is no imputation, either upon the humanity or the integrity of the managers of those lines, to say that they require the support and the stimulant of Congressional legislation. I say again, it is because I respect these men, it is because I have no sympathy with the wild socialistic schemes which would destroy alike their value and their usefulness, it is because great American capital is invested in them, it is because a million of our best laborers are employed by them, it is because they are entitled to the care and protection of the National Legislature, that I say we can best secure to them the value of their property and the security of their franchises against socialistic legislation, and for these, among other reasons, we must hold them up to a strict performance of these duties which are now in question.

Mr. WELLINGTON. Mr. President, I desire to have read by the Secretary a telegram from Baltimore, signed by H. L. Eichelberger, secretary of the Baltimore Federation of Labor, bearing upon this question.

The PRESIDENT pro tempore. If there be no objection, the telegram will be read. The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

Hon. GEORGE L. WELLINGTON,
Ebbitt House, Washington, D. C.:

Organized labor is not ignorant at treatment of labor legislation, and urge you to support Senator PETTIGREW's resolution to discharge committee from further consideration of eight-hour bill and put it on its immediate passage.

H. L. EICHELBERGER,
Secretary Baltimore Federation of Labor.

BALTIMORE, MD., February 23, 1901.

Mr. WELLINGTON. Mr. President, I desire to say in regard to the telegram that without it I should have supported the resolution of the Senator from South Dakota [Mr. PETTIGREW]. I am not prone to find fault with committees. I believe that very frequently the very fact of their not reporting upon measures is for the benefit of the country. But there is in this Congress an evident determination that there shall be reports upon measures which favor certain classes of people in this country and that there shall not be reports upon measures which favor other classes in this country. There was no difficulty in having reported to the Senate a bill giving ship subsidies. Was that in favor of labor or of capital? Primarily it was in favor of American capital. There was no difficulty in the last hours of the Congress in having put upon an appropriation bill the report of a committee in the shape of an amendment which is in favor of imperialism as against American labor. But notwithstanding the fact that these bills have been before the Committee on Labor in the Senate for over a year, there has been no report and there is no evidence of a report, and these people charge that there is somewhere an influence which prevents even a meeting of the committee to make an investigation of the matter.

Mr. KYLE. Will the Senator from Maryland allow me to ask him a question?

Mr. WELLINGTON. Certainly.

Mr. KYLE. Will the Senator tell the Senate why during the past three years there has been no report from the Committee to Establish the University of the United States upon the national university bill?

Mr. WELLINGTON. I will tell the Senator if the Senate in this connection seems to want the information.

Mr. KYLE. Is this not a parallel case?

Mr. WELLINGTON. It has nothing to do with this question. If you wish to drag the University of the United States into this matter, then I will reply with a question. Why is it that for a century this scheme has lain dormant and it has been impossible to secure action by Congress at any time?

Mr. KYLE. If the Senator desires me to reply, I will say it is precisely for the same reason a great many important questions sleep in committees. The committees do not want to pass them. That is all.

Mr. WELLINGTON. Did the committee desire to pass it when the Senator from South Dakota was chairman of the committee?

Mr. KYLE. They did not desire to do it.

Mr. WELLINGTON. They did not desire to pass it. They do not desire to pass it now, and the Senator is honest enough to say so.

Mr. KYLE. I presume that is the case with the Committee on Interstate Commerce.

Mr. WELLINGTON. Then, I will say to the chairman, why was not the committee manly enough to do that? Why does not the chairman appear before the Senate and say, "We do not desire to make any report upon this proposition?"

Mr. CULLOM. To whom does the Senator refer? To what committee does he refer?

Mr. WELLINGTON. I refer to the Senator from South Dakota.

Mr. CULLOM. Oh.

Mr. WELLINGTON. I do not refer to the Senator from Illinois. I think I have been plain enough in speaking about the matter.

Mr. KYLE. I will gladly reply.

Mr. WELLINGTON. I shall be very glad to have him do so.

Mr. KYLE. The Senator from South Dakota is not the chairman of the Committee on Interstate Commerce.

Mr. WELLINGTON. I have made no accusation against the Senator, but it is against his committee. If he chooses to shoulder the responsibility for his committee, of course it must go against him.

Mr. KYLE. I desire to repeat that I am not chairman of the Committee on Interstate Commerce.

Mr. WELLINGTON. Certainly not; but it is upon the labor question we are talking just now.

Mr. KYLE. I beg pardon, but we are discussing the question relating to the Interstate Commerce Committee.

Mr. WELLINGTON. You were finding fault with the committee to establish the University of the United States.

Mr. KYLE. Certainly; and I think it is a dead parallel to the question under consideration. The Senator from Maryland refused to report a bill when nearly all the great universities of the country demanded that he should report it.

Mr. WELLINGTON. The Senator does not refuse to report the bill—emphatically not. The Senator made every endeavor to report the bill, but the committee would not do so.

Mr. KYLE. Why not report it?

Mr. WELLINGTON. The committee will not do so.

Mr. KYLE. That is exactly the situation with reference to this bill and also the one before the Committee on Education and Labor.

Mr. WELLINGTON. Now, then, if the Senator from Illinois desires to enter this controversy, I have just this to say to him—

Mr. CULLOM. I have no desire to enter the controversy as to any other committee, but I do wish to have something to say about my own committee.

Mr. WELLINGTON. Very well. Do I understand that this measure is before the Senator's committee?

Mr. CULLOM. What measure?

Mr. WELLINGTON. This matter of the labor question.

Mr. CULLOM. Certainly it is.

Mr. LODGE. This bill is.

Mr. ALDRICH. The bill is before that committee.

Mr. KYLE. Not the eight-hour labor bill.

Mr. WELLINGTON. I am talking about the eight-hour labor bill. I understand the motion of the Senator from South Dakota to be to take that measure out of the hands of the committee.

Mr. LODGE. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Massachusetts will state his parliamentary inquiry.

Mr. LODGE. It is, with what measure are we dealing?

The PRESIDENT pro tempore. A resolution touching the Interstate Commerce Committee.

Mr. PETTIGREW. I will inform the Senator, if he desires, that it is House bill 10302, to amend an act in regard to safety appliances on railroads, and requiring the companies to furnish a statement to the Interstate Commerce Commission of the accidents which occur and the causes.

Mr. WELLINGTON. That is very good; so far as it goes it is all right; but I want before I sit down, right here and now, to emphasize the fact that this telegram is in regard to the general legislation and the general condition, and that what applies to one committee applies to all committees having these measures in charge.

Mr. CULLOM. Mr. President, I dislike very much to continue this discussion, but I do desire to say a few words. I assume that there is no Senator here who can justly charge me with indifference to the interests of the people in connection with railroads, or to human life in whatever engagement it may be employed. Neither do I want it understood that I have no disposition to enact such legislation as will be in the interest of that great body of men employed by the railroads, numbering, as has been stated here, perhaps over a million. But, on the contrary, I have had, and do have now, a great desire to do what seems to be the best for them in the premises consistent with the public interest generally.

This question, it is true, has been before the committee for some time, and it is true that the committee has never agreed upon a bill; and in that committee I may say truthfully, I think, and with propriety, there have been grave questions involved in bills referred to the committee which have taken the time of and created earnest discussion among the members of the committee very many times in their sessions.

Those questions have been of such a character that it has seemed to be almost impossible for the committee to agree upon some of the measures referred to the committee by the Senate; but we have done the best we could, and because the committee so far have failed to agree upon this bill is no reason, in my judgment, why the bill should be taken out of its hands and brought into the Senate for consideration.

Mr. ALLEN. I should like to ask the Senator from Illinois a question.

Mr. CULLOM. Certainly.

Mr. ALLEN. Is it not true that a majority of the committee are against the bill?

Mr. CULLOM. I am not able to say whether it is or not. I hope not. I have been hoping from time to time to get a favorable report upon some bill on this question. I think that the majority, perhaps, of the committee are not in favor of the bill as it comes from the House, because, in my judgment, it can be greatly simplified and enlarged at the same time in the interest of the people who are employed by the railroad corporations of the country.

What I have desired to do was, in the language of the Senator from Massachusetts, to perfect a bill so that when it is reported and passed through the Senate it will cover every phase of the case that ought to be covered by legislation. The bill that is sought to be brought before the Senate is an imperfect bill. It was drawn, I suppose, by some representatives of labor, and they have their own ideas of what ought to be enacted; but when it comes to enforcing the bill it requires unnecessary work and does not cover all the interests that ought to be covered by it.

All that I desire to say is that the Committee on Interstate Commerce have desired to do their duty. They have no disposition to shirk responsibilities, but the class of questions which come before that committee are always of a character that seem to justify and result in differences of opinion.

Mr. GALLINGER. Will the Senator from Illinois permit me for one moment?

Mr. CULLOM. Certainly.

Mr. GALLINGER. I have in my hand a copy of this bill, from which it appears that the Senator from Illinois reported this bill with amendments on the 22d day of February last. I wish to ask him if I am correct in supposing that it has been recommitted to the committee since that time?

Mr. CULLOM. It was recommitted. I desire to explain, as I did in the beginning—

Mr. GALLINGER. I did not hear that, and I should like to know why it was recommitted.

Mr. CULLOM. A majority of the committee failing to attend a particular meeting, and desiring on my part to secure the passage of a bill, I undertook to poll the committee in the Senate, and I thought I had a majority of the committee in favor of it; but afterwards I found that I did not, and my own honor in the premises required that the bill should be referred back for further consideration, and so it is now before the committee.

Mr. GALLINGER. I see.

Mr. CULLOM. I assure the Senator from South Dakota that I will make an effort again to get a meeting of the committee, so that we may be able to perfect the bill, and I hope we will be able to pass it before this Congress shall adjourn. I desire to do it. I have been for a bill on this question from the beginning, and several Senators on the committee have been for it just as it is. I think the bill ought to be perfected before we bring it in and ask the Senate to pass it.

Mr. ALLEN rose.

Mr. CULLOM. Does the Senator from Nebraska desire to ask me a question?

Mr. ALLEN. I thought the Senator from Illinois had concluded. As a member of the committee, I desire to submit some remarks before the resolution is passed upon.

Mr. CULLOM. I have not quite concluded. My own opinion is that we can pass this bill before the session adjourns and get it into a law if the House will act upon it promptly; and when we do we will have something that will be of some value to the laboring people of the country and not unnecessarily impose work upon the railroads or the Interstate Commerce Commission either. That is all I desire to say. I do not wish to shirk any responsibility that is put upon me in any direction whatever.

Mr. ALLISON. I have allowed this matter to run on for some time, and I appeal now to the Senator from South Dakota, after the assurances made by the chairman of the Committee on Interstate Commerce, to allow his resolution to lie over for a day without losing its place; and then I will ask the Senate to proceed with the consideration of the sundry civil appropriation bill.

Mr. PETTIGREW. I can not comply with the request of the Senator from Iowa. The Congress ends in a very few days. I have tried to have this measure considered, and all we ask now is a vote. All we ask in regard to legislation is this:

That where any collision of trains, where one of the trains is a passenger train, shall occur on a railroad of any common carrier engaged in interstate commerce by railroad, or where any passenger train, or any part of a passenger train, accidentally leaves the rails it shall be the duty of the general manager or other proper officer of such common carrier to transmit a report, under oath, showing in detail the nature and causes thereof, to the Interstate Commerce Commission at its office at Washington, D. C. It shall also be the duty of the general manager or other proper officer of any such common carrier to make to the Interstate Commerce Commission a monthly report, under oath, of all accidents which may occur to its passengers or employees, whether attended with loss of life or personal injury, and such report shall state the causes and circumstances connected therewith.

That is all we want. This bill has been before the committee since last June, and they will not report for or against it. It seems to me this matter ought not to cause debate. The committee ought to have reported the bill in a day. It ought to have passed long ago, and the representatives of the railroad employees have been here ever since, all this session, importuning this committee to report for or against. It will not do either one. Now, we are going to adjourn in two days, and they want more time.

Mr. CULLOM. There are bills in other committees which are older than this one.

Mr. PETTIGREW. They ought not to have it, and I want a vote.

Mr. CULLOM. I hope the motion to discharge the committee will not prevail.

Mr. ALLISON. The Senator from South Dakota desires a vote. I ask that a vote may be taken upon the resolution without further debate.

Mr. ELKINS. Mr. President, I object to the request for unanimous consent. If you are going to take a vote—

Mr. ALLISON. I give notice that very soon I shall move to take up the sundry civil appropriation bill.

Mr. ALLEN. I do not understand how, having stood on my feet for five minutes before the Senator from Iowa arose, he got the floor and I am not recognized.

The PRESIDENT pro tempore. The Senator from Nebraska is recognized.

Mr. ALLEN. I am entitled to the floor when I rise and address the Chair, under the rule.

Mr. ALLISON. I ask the Senator from Nebraska to yield to me for a moment.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. ALLEN. I yield to the Senator from Iowa.

Mr. ALLISON. I desire to say that before the Senator from Nebraska rose I also rose and was recognized by the Chair. There was no intention on my part to deprive him of the opportunity to make some remarks, if he desires to do so.

Mr. ALLEN. I addressed the Chair, and stood here all during the remarks of the Senator from Illinois.

Mr. ALLISON. I also was standing.

Mr. ALLEN. I beg the Senator's pardon. He was sitting down. I was watching him.

The PRESIDENT pro tempore. The Senator from Nebraska is entitled to the floor.

Mr. ALLEN. Mr. President, I desire to say a word respecting this matter. Being a member of the Committee on Interstate Commerce, I think I am entitled to at least a word of explanation.

I think the chairman of the committee has undertaken to do his duty conscientiously and well. I have during this session been summoned to that committee, I think, three times for the purpose of considering this very measure. Each time I have attended, and each time I have failed to find anyone but the chairman there.

I am well persuaded, so far as my knowledge of the state of sentiment in the committee is concerned, that there is no hope or expectation of getting a favorable report from the Committee on Interstate Commerce upon this bill. I am well satisfied the majority of the committee are against the bill, and it will not be reported, and that the only way for the Senate to consider it at this session of Congress is to adopt the resolution of the Senator from South Dakota and bring the bill before the Senate and put it on its passage.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. ALLEN. On that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. LODGE. This is a resolution to discharge the committee?

The PRESIDENT pro tempore. A resolution to discharge the committee. The Secretary will call the roll.

The Secretary proceeded to call the roll and called the name of Mr. ALDRICH.

Mr. GALLINGER. Mr. President, I simply desired before voting to say that I shall vote against discharging the committee, for the reason that having carefully read the bill I can not conceive of any possible good that can come from its passage.

Mr. LODGE. Mr. President—

Mr. ALDRICH. Is debate in order?

Mr. HOAR. My colleague rose before the name of the Senator from Rhode Island was called.

The PRESIDENT pro tempore. No answer has been made. Debate is still in order.

Mr. LODGE. I merely wish to say that I am very loath to vote to discharge any committee of this body; but it seems to me that this is a most reasonable bill. I can see no possible harm in it.

Many years ago I took great interest in what is known as the car-coupler bill, and did what little I could to promote it. In the investigations then I found that in one year there were 25,000 railway employees killed and wounded—as many as fell in one of the greatest battles in the world. It seemed to me that that was a subject to properly engage the attention of Congress, and I advocated the car-coupler bill on that ground. I do not think that railroad men are inhuman. I know they are as desirous to save life as anyone else, but they naturally are averse to expense, and they opposed that bill. It finally became a law.

Now, this is a very much less troublesome measure than that. It is merely a demand for information as to accidents. It may be possible that legislation can diminish them when we have the statistics properly presented. It may be that legislation will be futile to do anything. But it certainly is not unreasonable that we should have the facts before us. That is all that is asked in this bill. I can not see the slightest injustice to any railroad or to any corporation. I can see the possibility of great good to large bodies of men.

The Senator from Iowa asked unanimous consent that a vote might be taken on the resolution. It was objected to. It would have stopped debate and we could have passed upon the measure then and there, and then gone on to the other great business.

Mr. President, I should not have said even this much if we could have had a vote on the question; but as it is I am obliged to vote to discharge the committee, for I think it is a reasonable measure, and if we refuse and vote down all reasonable measures, beware of the unreasonable ones.

Mr. CHANDLER. Mr. President, I am very anxious that this resolution should be voted upon before 1 o'clock; but I think I ought to take the time of the Senate to say that it is my belief, with all due respect to the chairman of the committee, that the committee, of which I am myself a member, should be discharged from the further consideration of the bill, and the Senate should now vote upon it.

It is not a bill to tie directors in front of the locomotives, and it is not a bill about car couplers or automatic brakes. It is something very simple. It is a bill which provides that when there is an accident the railroad managers shall make a report as to the causes of the accident; and there is a provision in the bill that the report shall never be used in a suit against the railroad company or any person for damages. Now, what is the harm in that bill? None whatever, Mr. President; and it does not need to be amended in order that we may run the risk of having it embargoed and defeated in the House of Representatives.

The members of the Committee on Interstate Commerce have been engaged in many other things this winter, and we have not been able to get the bill reported, but the other day the chairman, thinking he had a majority of the committee polled in favor of the bill, reported it. Subsequently, finding a mistake had been made, he had it recommitted, and we have tried to get a meeting since. At a meeting called for day before yesterday or yesterday there was no one present but the chairman and the Senator from South Carolina and myself. No one else would come; not that they stayed away on purpose. The Senator from Rhode Island was very busy upon an important bill; the Senator from West Virginia was equally busy in the public service, and they did not come.

Now, Mr. President, what is the harm in taking the bill out of the committee and voting on it? What is the harm, I ask the chairman of the Committee on the Judiciary, in taking the anti-trust bill out of that committee, where there is so much division of opinion, and bringing it before the Senate, when it is a House bill? These are House bills, Mr. President, and the Senate ought to vote upon them before next Monday at 12 o'clock. What is the harm in it?

Mr. CULLOM. May I ask the Senator a question?

Mr. CHANDLER. In one moment. I hope the chairman, who is in favor of the bill, will let it come before the body for its passage, that the one million railroad employees in this country and the tens of millions of passengers who ride upon the trains may get the benefit of this work of his between now and next Monday at noon.

Mr. ALDRICH obtained the floor.

Mr. CULLOM. Will the Senator allow me to say a word?

Mr. CHANDLER. I am through.

The PRESIDENT pro tempore. The Senator from Rhode Island has been recognized.

Mr. ALDRICH. Mr. President, from the earliest history of the Senate it has been necessary to have standing committees to consider certain subjects. There is no other way in which the business of the Senate can be properly carried on that I know of. The plan which seems about to be adopted, or is suggested, of discharging committees because certain individual Senators think the committees have not properly considered subjects or have considered them too long, or that the judgment of the committees is not in accordance with their judgment, is one which is utterly destructive of the order of the business of the Senate, and should not be indulged in.

The Senator from Massachusetts is very free to discharge another committee, but when a suggestion is made to discharge his own committee from a bill which has been before the committee, he is found voting against it. He would not like at all to have subjects taken from his committee upon the motion of the Senator from South Dakota or of any other Senator.

Mr. HOAR. Mr. President—

Mr. ALDRICH. I decline to yield at present.

Mr. HOAR. The Senator made a statement about me.

Mr. ALDRICH. I will give the Senator a chance to speak after a while, but not now.

Mr. HOAR. The Senator has made a statement which—

Mr. ALDRICH. I decline to yield.

The PRESIDENT pro tempore. The Senator from Rhode Island is entitled to the floor and declines to yield.

Mr. HOAR. But, Mr. President—

The PRESIDENT pro tempore. The Senator from Rhode Island declines to yield to the Senator from Massachusetts.

Mr. ALDRICH. The junior Senator from Massachusetts would not like to have important matters taken from his committee simply because the Senator from South Dakota or some other Senator should not agree with him as to some matter of public policy.

As to the Committee on Interstate Commerce, of which I am a member, the chairman of that committee has been necessarily absent from the Senate and from the city for a long time. He has called three or four meetings of the committee within the last two

weeks. I was not able to attend the meetings of that committee because I was engaged in more important business, or what seemed to me more important business, elsewhere and it was not possible for me to be present. I know that the Senator from Colorado and other Senators were so engaged that it was impossible for them to be present.

So far as I am concerned, I am quite willing now to attend a meeting of that committee and consider this proposition or any other; but this revolutionary method which is insisted upon here to discharge committees because members of the Senate do not agree with the committee or have some purposes of their own to try to force legislation through the Senate which is not agreed to by the majority of the committee is to be suggested and advocated for the first time.

Now, if I have done any injustice to the Senator from Massachusetts, I shall be glad to yield to him.

Mr. HOAR. The Senator from Rhode Island did me a great injustice. I spoke and voted, or I should have voted if the vote had come—I am not sure that it did—in favor of the resolution to discharge the committee of which I am chairman from the matter to which he refers.

Mr. ALDRICH. Was that because he believed the Committee on the Judiciary were not competent to deal with the question which was before it, or because he did not agree with the majority of that committee as to what should be done?

Mr. HOAR. My honorable friend stated to the Senate, under his responsibility as a Senator, that I opposed discharging my committee; and having informed him that I not only did not oppose it, but favored it and spoke in favor of it and said that I was delighted that the motion was introduced, when he is informed of that he does not take back his statement and turns around and wants to know what my motives were.

Mr. ALDRICH. The Senator from Colorado made the statement.

Mr. JONES of Arkansas. I should like to ask what motion it was to discharge the Committee on the Judiciary that the Senator from Massachusetts favored. Was it the motion I made to discharge the committee and take up the anti-trust bill?

Mr. HOAR. Yes.

Mr. JONES of Arkansas. I understood the Senator to oppose it. One thing I know is that while that motion was pending the time was taken up in the Senate, and it was talked until the expiration of the morning hour and no vote was had, and I believe it was deliberately done.

Mr. HOAR. I gave notice to the committee and to its members that I should make the motion which the Senator from Arkansas made. When he made it I was absent in Massachusetts and telegraphed to him and my colleague and one or two other members of the Senate, praying that it might stand for a day until my return. When I got back I rose in my place and said I was delighted that the motion had been made and I hoped it would pass. The Senator will find all that in the RECORD. Now, that is what happened.

Mr. JONES of Arkansas. I confess myself to be astonished. I hope the Senator will now give notice that he will move to discharge that committee to-morrow, so that we can have a vote on that subject.

Mr. HOAR. There is a motion pending.

Mr. JONES of Arkansas. It is on the Calendar and has to be taken up by a vote of the Senate.

Mr. HOAR. If the Senator will pardon me, the Senator was so full of his most worthy and excellent purpose that undoubtedly he did not listen to what I said. I told the Senate that the failure of the Judiciary Committee to vote on that matter was one of the great disappointments which had happened to me lately; that I regretted it exceedingly, and that I was glad the motion had been made and should support it. I gave a narrative of what had happened, and stated my reasons for supporting the first and the last sections of the bill and my reasons for hoping that it would be amended by striking out other sections.

Now, the Senator from Arkansas does not wish to do me any injustice, any more than my friend from Rhode Island, who spoke with some warmth, but who would be the last in the world to have made a misstatement. If this debate continues I will get the RECORD and read what I said before.

Mr. JONES of Arkansas. I should like to interrupt the Senator. I certainly do not intend to do the Senator from Massachusetts any injustice. I heard the Senator, as I thought, object to discharging the committee and to taking up the bill. I did not hear the statements by him, though I have no doubt they were made by him; but what I do know is that the entire morning hour was talked out and we failed to get any vote at all. If both sides were willing to vote for it, it is most amazing to me that a vote was not had. I know I took no time to delay it.

Mr. CULLOM. Mr. President, I only want to say another word. The PRESIDENT pro tempore. The Senator from Rhode Island is entitled to the floor.

Mr. ALDRICH. I had not quite finished.

Mr. CULLOM. Excuse me.

Mr. ALDRICH. The Senator from Massachusetts certainly can not think that I would do him an injustice. I had supposed that he was opposed to having his committee discharged from the consideration of that measure. I could not understand that he was not. But as I understand the Senator's statement, he is not in favor of the House bill, and does not expect or desire that the Senate should pass it.

Mr. HOAR. What House bill?

Mr. ALDRICH. The anti-trust bill.

Mr. HOAR. Yes; I am. I want to have one. I said, if the Senator will pardon me, that I had consulted the representatives of the Brotherhood of Locomotive Engineers and the representatives of the Federation of Labor, and that they had agreed with me that certain sections of the bill were undesirable; but that the first and the last sections of the bill, which they were satisfied with, ought to pass, and I have a letter from one of them now in my possession repeating that. So the bill, as I proposed to have it passed, would be entirely satisfactory to them. All that I stated, except this little matter of the letter in the Senate, and I used the phrase, I remember distinctly, that I was delighted that the motion had been made. My friend from Connecticut, one of the strongest opponents of some parts of that bill, and who pointed out his objection in the debate in the Senate, will confirm me in my statement, not only that I earnestly supported that motion, but that I had given notice to members of the committee that I should make it if nobody else did.

Another matter, Mr. President—

Mr. PLATT of Connecticut. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield?

Mr. ALDRICH. I do.

Mr. PLATT of Connecticut. I think, certainly, justice ought to be done to the Senator from Massachusetts. He did certainly say in his speech that he would support the motion.

Mr. ALDRICH. I have attempted to do justice to the Senator from Massachusetts.

Now, Mr. President, we have thirty or forty hours of this legislative session yet remaining. There is not a member of the Senate who does not know that these motions to discharge committees from the consideration of contested legislation can not in the nature of things result in anything effective for the benefit of the measures suggested. There is not a member of the Senate who does not know it. The Senator from Massachusetts knows as well as I that if his Committee on the Judiciary were discharged from the anti-trust bill there is no possible hope of passing that bill at this session. The Senator from South Dakota and other Senators who favor discharging the Committee on Education and Labor from the proposed eight-hour law know perfectly well it is not possible for that measure to be considered at this session.

If members of the committees, chairmen or otherwise, who are desirous of discharging their own committees and other committees simply because their individual views have not been carried out by the committees should have their way, there will be nothing done at this session of Congress except to discuss measures which can never be finally voted upon.

Mr. CULLOM. Mr. President, I simply want to add one word. The junior Senator from Massachusetts [Mr. LODGE] has been talking very vigorously against retaining the bill where it is in committee, and he instances his own action with reference to the automatic car coupler bill, about which we had some legislation some time ago. I want the Senator to know, if he does not, that I had charge of that important measure myself, and I claim a good deal of credit for doing something for the railroad employees of this country in securing its passage and enforcing it as a law.

Mr. LODGE. If the Senator will allow me, I am quite aware of that. My reference was simply to my interest in the subject. I know the Senator's friendship for the bill.

Mr. CULLOM. I only want to emphasize the fact that I have no disposition whatever to interfere with proper legislation, but I do insist that this bill ought to remain with the committee for its consideration, and, so far as I am concerned, I am ready to call a meeting of the committee this afternoon and consider it, and see whether we can not get a bill here that will be satisfactory and will take no time in its passage finally.

Mr. ELKINS. Mr. President, I am a member of the Interstate Commerce Committee having charge of this bill, and I have heard this debate going on for more than an hour, all the time hoping it might end so we could get a vote. I feel obliged, in view of certain statements, to say a word. The chairman has ably defended the committee, and shown why this resolution should not prevail, and I want to join him in resisting the passage of the resolution and the discharge of the committee—though with suitable amendments I am in favor of the bill.

In the first place, this is a bill from the House. It came to the Senate last session, I believe, and a subcommittee of the Commit-

tee on Interstate Commerce was appointed by the chairman to consider the bill and report to the full committee.

The chairman of that subcommittee was the late lamented junior Senator from Iowa, Mr. Gear. We all know that he died during the recess of Congress, and no member of the committee has been appointed to fill his place as chairman. I mention this fact because the impression has gone out that I should have gone forward and reported the bill because I was a member of the subcommittee. I had no more power to consider and report the bill than any other member of the committee.

I have always stated to the chairman and to the members of the committee that I favored the bill if it could be properly amended. It is an important bill and should have careful consideration. Its importance is tested by the interest that it has aroused in the Senate. But I submit, Mr. President, that a bill of this importance should not be passed without the consideration of the committee and a report thereon; and it should, before report, have at least fair consideration by the full committee. The Senate works through organized committees; wisely so. Now, the committee has had no opportunity to consider fully and fairly the bill. At no meeting of the committee at this session has there been a quorum, and the reasons for no quorum have been suggested time and again by the chairman.

I regret to see a disposition to discharge an important committee like this from the consideration of a bill that it has not had the time or opportunity to investigate. We had one meeting of the committee, I believe, at the last session of Congress, in which parties favoring the bill were heard, and among those who appeared in favor of the bill was Mr. Moseley, secretary of the Interstate Commerce Commission, and some one claiming to be a member of the Brotherhood of Locomotive Engineers.

If we are to have committees to take charge of important bills and report on them, let the best consideration be had that a committee can give to the subject. I believe with proper amendments this bill will pass the Senate, but the committee ought to have an opportunity, and Senators who are on the committee and on the subcommittee ought to have a chance, to discuss the provisions of the bill and make suggestions and proper amendments, and not rush it through by having the committee discharged in this manner and the bill passed without thought or proper consideration in the dying hours of the Senate.

I believe all the Senators on the committee desire and that the Senate desires the best possible administration of railway matters in the interest of human life and are willing and anxious to pass any law that will minimize accidents, injuries, and loss of life, and I believe railway officials favor any measure that will prevent accidents. And just here I wish to say to the distinguished senior Senator from Massachusetts that it is not necessary to tie a director on the engine when in motion to save human life or to prevent accidents. The locomotive engineers run the trains, and not the directors and railway officials, and the engineers are just as particular and careful about preventing accidents and preserving human life as are directors of the railroads, and I was shocked and surprised to hear from such a respectable, wise, and conservative source such a suggestion. I am at a loss to know what the Senator meant, for usually he is not given to making reckless or improper statements.

Mr. HOAR. It was a mere jest, and I am surprised that anyone should take it seriously.

Mr. ELKINS. I am glad to have the Senator say it was a jest, but let me tell the great Senator from Massachusetts that it is too serious a subject to jest about.

Mr. HOAR. I wish to plead guilty, however, on two points. It was not only a jest, but a plagiarism from one of the most conservative men who ever lived in this country—the late Richard A. Dana—who, after a railroad accident in Massachusetts, suggested in some public place that if there were a director tied on the cowcatcher of every engine it would diminish the number of railroad accidents. I had no expectation that anybody would take it seriously.

Mr. ELKINS. I am glad to have this explanation from the Senator from Massachusetts, because I was pained to hear that he could seriously make such a suggestion. I know he is not a railroad director, and I know he would not want to be tied on an engine if he were. I also know he is not familiar with the operation of railroad trains. If he were, I venture to say he would give this bill more careful consideration. And I beg the Senator will allow me to say further that the railway officials and directors of this country are as humane as the Senator himself and desire in every way possible to diminish accidents and prevent the loss of life.

In addition to their feeling for humanity and their deep interest in their employees and desire to preserve their lives, and with whom they are generally on the best of terms, there is still another reason that does not appeal to the senior Senator from Massachusetts, unless he has more stock in railroads than I think he has, and it is that every railroad accident causes a direct loss in money to the railway company.

Mr. HOAR. Nobody would seriously propose to tie my honorable friend from West Virginia there, unless somebody thought that no railroad locomotive would have power enough to penetrate him, or that probably it would add to the safety of the passengers by having a good, honest cushion before the engine. I do not see that anybody could propose it for any other purpose.

Mr. THURSTON. The Senator would not tie him on a fast train.

Mr. HOAR. No; I would not tie him on a fast train.

Mr. ELKINS. It is a relief to me in this discussion to thoroughly understand the Senator from Massachusetts, because this is a most serious subject; and I am glad on his own account and for his great reputation that he has said what he has and relieved the Senate from a most painful impression.

Several SENATORS. Vote! Vote!

Mr. ELKINS. The suggestion is made to vote, after many Senators have expressed themselves, and particularly the junior Senator from Massachusetts [Mr. LODGE], without interruption from anyone; and while he and other Senators who so earnestly desire the Interstate Commerce Committee to be discharged in disgrace as incompetent, were speaking, I heard no one demand that this discussion should close. I never wished to discharge his committee from the consideration of any bill before it because of delay, and I was a little surprised that the junior Senator from Massachusetts should support this motion to discharge the committee.

Why should we have a vote? Why do you want a vote so soon to condemn a committee and pronounce upon it a judgment of incompetency? I have a good deal to say on the subject of this resolution before it passes the Senate, and I have listened to every Senator here with composure and with interest; and I hope I may be still further indulged, even if at the close of what I may say the Senate should join in the condemnation and disgrace of the committee, so much desired and wished for by the junior Senator from Massachusetts and the Senator from South Dakota. Do give the members of the committee a chance to be heard, especially our able and distinguished chairman. No chairman of a committee wishes his committee discharged from the consideration of a subject over which it has jurisdiction.

Mr. PETTIGREW. Will the Senator allow me a question? Does he intend to talk until the morning hour has expired?

Mr. ELKINS. When does it expire?

Mr. PETTIGREW. It expires at 1 o'clock, and this resolution goes to the Calendar if the Senate is unable to vote on it before that time.

Mr. ELKINS. Mr. President, I do not know anything about the morning hour, or what the rule is. I do not understand the rules like my friend from South Dakota does, who has served so long and so ably in the Senate.

Now, Mr. President, as was stated by the Senator from Colorado, there is not an accident that happens on any railroad in the United States where the testimony is not taken instantly and on the spot, and an accurate report made of everything that occurs on the spot.

Mr. LINDSAY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Kentucky?

Mr. ELKINS. With pleasure.

Mr. LINDSAY. If the Senator from West Virginia will pardon me, I ask him if he knows what has become of the six or eight reciprocity treaties that have been referred to the Committee on Foreign Relations for consideration. Why have they not been reported?

Mr. ELKINS. I thank the Senator from Kentucky for making that suggestion, and in due season I think there may be a motion to discharge his committee from the consideration of the reciprocity treaties, as he is such a staunch supporter of the policy of discharging committees before they can reach a conclusion on a bill.

Mr. TILLMAN. We will all vote for it.

Mr. LODGE. I hope when the Senator makes the motion he will make it where it belongs, in executive session, as it relates to executive business.

Mr. ELKINS. Mr. President, as I was stating, every accident is reported. In the first place, all railroads require it; and in the second place, the State laws require it. Now, there is no objection to giving this power to the General Government if by doing so we can in any way help prevent accidents and injuries to life and property; this is what everybody desires. But I state now that the bill is defective. My colleagues on the committee, and especially the chairman of the committee [Mr. CULLOM], who has served so long and so honorably in the Senate, has had more experience in the matter of railroad legislation originating with the Interstate Commerce Commission than any other member of this body, declares to the Senate that the bill is defective and that it should be amended; that in the interest of the railroad employees and in the interest of the railroads it should be amended. He reported the bill with some amendments, but not the one which I desired.

The chairman of the Interstate Committee [Mr. CULLOM] has had more experience than any other member of this body in respect to this kind of legislation, and he objects to the bill.

Now, Mr. President, I want to state to the Senate, as a matter of information, that the reports of the Pennsylvania Railroad Company, in the consideration of this question at the only meeting we ever had, were brought into the Interstate Commerce Committee, and they were there analyzed, and the advocates of this bill then and there declared that they were good, ample, and sufficient even without this law; that this law was not required to compel the Pennsylvania Railroad Company to go further in making reports. The only complaint made by the advocates of the bill was that some other railroads did not report as fully and as accurately as the Pennsylvania Railroad Company did. I, as a member of the subcommittee, stated that if we could draw an amendment that would require the reports of other railroad companies to be made with the same care and the same accuracy as the reports made by the Pennsylvania Railroad this would be all that could be desired.

Mr. ALLEN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Nebraska?

Mr. ELKINS. Yes, sir.

Mr. ALLEN. I should like to make an appeal to the Senator from West Virginia to let us go to a vote before this resolution has gone to the Calendar.

Mr. ELKINS. I beg the Senator's pardon. I did not understand him.

Mr. ALLEN. There are only about three minutes before it will pass to the Calendar. The discussion will end, and we shall not have the privilege of voting on it.

Mr. ELKINS. When has it ever been suggested in this Chamber? When has any Senator had the temerity to ask the Senator from Nebraska to cut short his speech for any purpose whatever? Why, sir, the Senate would have been filled with a flood of oratory for hours afterwards following such a suggestion. He would have regarded it as an invasion of his sacred rights guaranteed to him by the Constitution and the Declaration of Independence.

Now, Mr. President, the Senator from South Dakota has done me the justice to read a number of petitions from my State favoring the passage of this bill, but not in its present form, as I am informed and believe. I have also had a number from my State, and I am just as solicitous as the Senator from South Dakota and the two Senators from Massachusetts that railroad passengers and railroad employees shall now, hereafter, and forever have all the safeguards that can possibly be thrown around them by this bill or any other.

Mr. LODGE. Let us have a vote.

Mr. ELKINS. The junior Senator from Massachusetts says let us have a vote. I ask him if he has ever read this bill? Has he ever considered it?

Mr. LODGE. I have read it.

Mr. ELKINS. Then I am surprised that you want to vote upon it in the imperfect way it is presented here.

Mr. LODGE. The Senator will meet with many other surprises if he keeps on.

Mr. ELKINS. Not now, on this subject. I am surprised this discussion has taken the turn and scope it has. Mr. President, Senators talk as if railroad presidents and directors were indifferent to accidents and the loss of human life and did not desire to prevent both. This is an unjust and outrageous charge to bring against an able and conscientious body of citizens of the country.

Mr. President, every accident on a railroad costs the railroads something, often from one thousand to a hundred thousand dollars; sometimes the cost reaches two and three hundred thousand dollars; and it is utterly absurd to talk about indifference on the part of directors and railroad officials to accidents. They do everything in their power now to prevent them, and are doing so every day. Dismissing the question of heart, conscience, and humanity, self-interest compels them to this course. The appeal to prejudice or the attempt to stir up strife between railroad employees and railroad officials for political or any other purpose, or to gain popular favor, is unwise and unpatriotic, especially in the Senate Chamber of the United States. Now, Mr. President, I am ready and willing, as I have always been, to favor this bill, with proper amendments; but, while this is the case, I am unalterably opposed to this resolution to discharge the committee from the further consideration of the bill, thereby putting the cloud of incompetency over it.

Mr. President, I have said something about the character of railway officials and directors, but I would do myself an injustice if, in this connection, I did not bear testimony to the high character, orderly conduct, and good citizenship of the million of railway employees in the United States. There is no better body of citizens, no more loyal and intelligent set of people in the world; and the thought that every Senator here would not be willing to do justice to railway employees and do everything in their power to protect their lives and preserve them from injuries by railroad accidents is simply absurd.

I believe that the Brotherhood of Locomotive Engineers especially favor this bill. They are amongst the most conservative, intelligent, and law-abiding citizens. I have in this order many friends in my State and in almost every State in the Union. I respect their judgment, their intelligence, and their wishes, and, so far as they are concerned in this legislation, I want to meet their wishes. I am sure that they do not desire the bill passed without careful consideration and without its provisions do justice, not only to themselves, but to the owners, officers, and directors of railroads and the public generally.

Mr. PETTIGREW. Mr. President—

The PRESIDENT pro tempore. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 3450) to fix the salaries of certain judges of the United States.

Mr. ALLISON. I ask unanimous consent that that bill may be formally laid aside that I may ask the Senate to proceed with the consideration of the sundry civil appropriation bill.

Mr. ALLEN. I object, Mr. President.

Mr. ALLISON. Then I make that motion. I move that the Senate proceed to the consideration of the sundry civil appropriation bill.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of the sundry civil appropriation bill. [Putting the question.]

Mr. PETTIGREW. Mr. President, I now move that the Senate proceed to the consideration of the resolution which we have just been discussing.

Mr. LODGE. It has gone to the Calendar.

Mr. PETTIGREW. It has gone to the Calendar. It is resolution numbered 577.

Mr. ALLEN. I ask for the yeas and nays on the motion.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. PETTIGREW] moves that the Senate proceed to the consideration of a resolution the title of which will be stated.

The Secretary read the resolution submitted by Mr. PETTIGREW on the 26th ultimo, as follows:

Resolved, That the Committee on Interstate Commerce be discharged from further consideration of H. R. 1032, an act to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

Mr. FORAKER. I intend to vote for that bill when it comes back here perfected by the committee, but until then—

Mr. LODGE and others. Debate is not in order.

Mr. FORAKER. I move that the motion be laid on the table.

Mr. HOAR. That is not in order.

Mr. FORAKER. Then I withdraw the motion.

Mr. PETTIGREW. I have a right to a direct vote on my motion, under the rules of the Senate.

The PRESIDENT pro tempore. The question is on the motion of the Senator from South Dakota.

Mr. PETTIGREW. I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

Mr. CLAY. Mr. President—

The PRESIDENT pro tempore. Debate is not in order.

Mr. CLAY. I understand that, but I rise to a question of order. I understand the motion of the Senator from South Dakota is to displace the appropriation bill, the pending order of the Senate.

The PRESIDENT pro tempore. That is in the nature of debate, and not in order. The yeas and nays have been ordered on the motion of the Senator from South Dakota.

Mr. SEWELL. The resolution has gone to the Calendar.

The PRESIDENT pro tempore. The motion is to take it from the Calendar and pass it. The motion is in order.

Mr. ALDRICH. The Chair, I think, did not state the question quite clearly. The question is upon taking up the resolution, not upon its passage.

Mr. CHILTON. The question is not upon passing the resolution.

The PRESIDENT pro tempore. The question is on taking up the resolution.

Mr. HOAR. I ask unanimous consent to put in the RECORD some extracts from my remarks when the motion of the honorable Senator from Arkansas to discharge the Judiciary Committee of the anti-trust bill was discussed on Thursday, February 21, of the present year.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Is there objection to the request of the Senator from Massachusetts? The Chair hears none.

The matter referred to is as follows:

Mr. HOAR. I have myself never for a great while felt more regret about anything than that the majority of the committee, not voting on party lines at all, did not agree with me in this view. * * * Let me say further, before I sit down, what I think I should have said, that I had notified my brethren on the committee that I would myself bring this matter up in the Senate. Personally—not as the organ of the committee—I shall be delighted if the motion of the Senator from Arkansas shall be adopted and the bill shall be passed. * * * If any member of the Senate can suggest, in the short time we have left for legislation, a reasonable solu-

tion of this trust difficulty which will go further than that, I shall be glad to have that.

Mr. JONES of Arkansas. We all seem to be agreed that this matter ought to be considered. * * *

Mr. HOAR. I expect to vote for the Senator's resolution.

Mr. JONES of Arkansas. That is all I ask for, Mr. President—a vote at this time.

The Secretary proceeded to call the roll.

Mr. BURROWS (when his name was called). I am paired with the Senator from Louisiana [Mr. CAFFERY]. Not seeing him in the Chamber, I withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PRITCHARD (when his name was called). I have a general pair with the Senator from South Carolina [Mr. MCLAURIN] who is absent. If he were present, I should vote "nay."

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. TURLEY] who is absent. I do not know how he would vote, if he were present. If at liberty, I should vote "nay."

Mr. BATE. My colleague [Mr. TURLEY], if present, would vote "yea."

Mr. SPOONER. The senior Senator from Tennessee informs me that if his colleague were present he would vote "yea."

Mr. SULLIVAN (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MASON]. I inquire whether he has voted?

The PRESIDING OFFICER. The Chair is informed that the Senator from Illinois has not voted.

Mr. SULLIVAN. Then I withhold my vote.

Mr. HARRIS (when Mr. TURNER's name was called). I am requested to announce that the Senator from Washington [Mr. TURNER] is unavoidably detained from the Senate, and that he is paired with the Senator from Wyoming [Mr. WARREN].

The roll call was concluded.

Mr. MALLORY (after having voted in the affirmative). I desire to inquire if the Senator from Vermont [Mr. PROCTOR] has voted?

The PRESIDING OFFICER. The Chair is informed that the Senator from Vermont has not voted.

Mr. MALLORY. I have a general pair with that Senator, and I therefore withdraw my vote.

Mr. BATE. As has been already stated, my colleague [Mr. TURLEY] is necessarily absent to-day, and is paired, as has been stated, with the Senator from Wisconsin [Mr. SPOONER].

Mr. JONES of Arkansas (after having voted in the affirmative). I am paired with the Senator from Maine [Mr. HALE], who is absent. Under the circumstances I withdraw my vote.

Mr. ALLISON. I am paired with the Senator from Missouri [Mr. COCKRELL]. I suggest to the Senator from Arkansas that we exchange pairs, so that the Senator from Maine [Mr. HALE], with whom he is paired, may stand paired with the Senator from Missouri [Mr. COCKRELL].

Mr. JONES of Arkansas. I agree to the transfer and will let my vote stand.

The result was announced—yeas 25, nays 36; as follows:

YEAS—25.

Allen,	Clay,	Jones, Nev.	Teller,
Bacon,	Culberson,	Lindsay,	Tillman,
Bate,	Daniel,	Lodge,	Vest,
Berry,	Harris,	Martin,	Wellington.
Butler,	Heitfeld,	Pettigrew,	
Chandler,	Hoar,	Rawlins,	
Clapp,	Jones, Ark.	Taliaferro,	

NAYS—36.

Aldrich,	Dolliver,	Kyle,	Platt, N. Y.
Allison,	Elkins,	McComas,	Scott,
Bard,	Fairbanks,	McCumber,	Sewell,
Beveridge,	Foraker,	McEnery,	Shoup,
Chilton,	Frye,	McMillan,	Simon,
Clark,	Gallinger,	Nelson,	Stewart,
Cullom,	Hansbrough,	Perkins,	Thurston,
Deboe,	Hawley,	Pettus,	Wetmore,
Dillingham,	Kean,	Platt, Conn.	Wolcott.

NOT VOTING—27.

Baker,	Hale,	Mason,	Quay,
Burrows,	Hanna,	Money,	Spooner,
Caffery,	Kearns,	Morgan,	Sullivan,
Carter,	Kenney,	Penrose,	Turley,
Cockrell,	McBride,	Pritchard,	Turner,
Depew,	McLaurin,	Proctor,	Warren.
Foster,	Mallory,	Quarles,	

So the motion of Mr. PETTIGREW was rejected.

UNLAWFUL TRADE RESTRAINTS AND MONOPOLIES.

Mr. JONES of Arkansas. I desire to give notice, in view of certain statements made to-day, that to-morrow, at the conclusion of the morning business, I shall move that the Senate take up the resolution to discharge the Committee on the Judiciary from the further consideration of the bill (H. R. 10539) to amend an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890.

SENATOR FROM NORTH CAROLINA.

Mr. ALLISON obtained the floor.

Mr. PRITCHARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. ALLISON. I understand the Senator from North Carolina several days ago gave notice that he desired to submit remarks upon some matter pending. Without knowing how much time would be consumed this morning during the morning hour, I agreed to yield to him. I feel bound by that promise, and I hope the Senator will be as brief as possible under the circumstances.

Mr. PRITCHARD. Mr. President, I ask the indulgence of the Senate for a short time in order that I may submit some remarks in regard to the motion of my colleague [Mr. BUTLER] to refer the credentials of Hon. F. M. Simmons, Senator-elect from my State, to the Committee on Privileges and Elections. I had not intended to refer to political conditions in North Carolina during the present session of Congress, but since my colleague has seen fit to make the motion in question, I deem it proper that I should briefly review existing conditions in that State, as well as the incidents which led up to what the Democrats are pleased to term a revolution.

One would naturally suppose that the people of every State enjoy the benefits of a republican form of government, but I regret to state that such is not the case in the State which I have the honor in part to represent.

Article 4, section 4, of the Constitution of the United States provides as follows:

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature can not be convened), against domestic violence.

The foregoing is explicit and leaves no doubt as to the duty of Congress with respect to the matter. The language of the Constitution is mandatory, plain, and unequivocal, but for some cause or other there is a disposition on the part of many to acquiesce in that which, in my judgment, will sooner or later undermine the foundation of the Government of the United States.

In 1894 the Republicans and Populists of North Carolina combined their forces in opposition to the Democratic party and succeeded in carrying the State by a large majority, securing control of both branches of the general assembly. For years prior thereto the Democratic party had been in absolute control of all branches of the State government, and in possession of the election machinery in every county in the State.

The Republicans and Populists, in 1895, enacted an election law that was perfectly fair in its provisions, it being provided, among other things, that the chairmen of the respective parties should have the right to select those who were to represent them on the election boards.

In 1896 the anti-Democratic forces again prevailed, electing all the State officers, consisting of Republicans and Populists, and in this connection I desire to say that we have never had our State affairs administered in a more satisfactory manner than they were under the administration of Governor Russell. The credit of the State was greatly improved during his administration, and not a dollar of the State's funds was unaccounted for when the government was turned over to the Democrats on the 1st of January.

The Democrats in 1898, realizing that a great majority of the people of the State were opposed to their policy, and knowing full well that anything like a fair expression of public opinion at the ballot box would mean their complete defeat, deliberately organized a systematic campaign of intimidation and violence (resulting, in some instances, in bloodshed) which has never had a parallel in any section of the country. Not only were the negroes in eastern Carolina denied the right to vote, but thousands of white men in the middle and eastern sections of the State were so completely terrorized that they refrained from voting, while many of them, by coercion, were induced to vote the Democratic ticket.

The adoption of such unlawful methods resulted in giving the Democrats a good working majority of the legislature at that election; and, among other things, they enacted an election law which was prepared with the sole view of enabling that party to overcome the large majority that was against them in the State. The legislature did not adjourn at the end of sixty days, as is provided by the Constitution, but took a recess until the month of June, 1900, and it was stated in many of the Democratic papers that a recess had been taken with a view of impeaching the governor and the judges of the superior court under certain contingencies; and this fact was from time to time referred to by many Democratic papers for the purpose, as I believe, of intimidating the governor to such an extent as to prevent him from taking such steps as were necessary to secure the proper enforcement of the law, and I am also inclined to the opinion that these rumors were intended to intimidate the judges to such an extent as to prevent them from granting the remedies to which we were entitled under the law, before the amendment, in relation to

mandamus, which is hereinafter referred to as having been adopted by the legislature at its June session.

Some time prior to the meeting of the legislature in June, a conference of Republicans, consisting of Hon. R. Z. LINNEY, Hon. W. P. Bynum, Hon. A. E. Holton, and myself, was held in the city of Greensboro, and it was decided, among other things, that although the new election law gave the registrars unlimited discretion as to what names should be placed upon the registration books, we could by mandamus compel them to place on the books the names of all parties who, under our constitution, were qualified electors, but, unfortunately, the result of our deliberations became known, and when the legislature convened in June, the following sections in regard to mandamus and injunction were enacted:

SEC. 88. That upon any application being made, or any action or proceeding of any kind commenced or had, before any judge of any court in this State, for a mandamus or any order in the nature of a mandamus, injunction, restraining order, or order in the nature thereof, to compel, prevent, prohibit, or restrain the performance of any act in respect to his duties against any officer or officers provided for in this act, the matters stated in the affidavit, petition, or complaint, upon which such application is based or action or proceeding had, shall be taken and deemed to be denied, and no judge shall issue any such order, temporary or otherwise, until the facts have been submitted to and found by a jury at a regular term of the superior court of the county in which such officer resides. No such order shall be made or issued upon any case agreed, or upon facts found by a jury at a special term.

SEC. 89. That when a jury has found the facts, and any judge shall issue a mandamus or order in the nature of a mandamus, injunction, or restraining order, or other order in the nature thereof, to compel, prevent, restrain, or prohibit the performance of any act in respect to his duties against any officer or officers provided for in this act, such officer or officers shall have the right to appeal from such order to the supreme court, upon giving bond in a sum not to exceed the sum of \$100, conditioned to pay to appellee all such costs and damages as may accrue by reason of such appeal. The said bond shall be received and approved by the clerk of the superior court. A deposit of money of the amount of the penal sum named in such bond shall be received by the clerk in lieu of such bond. And upon filing such bond or making such deposit, such order shall be vacated until affirmed by the supreme court, and until so affirmed the election officer shall proceed to perform the duties imposed by this act notwithstanding such order.

SEC. 90. That all laws and clauses of laws in conflict with this act are hereby repealed, and the law regulating elections as contained in this act shall be construed as above and not in connection with any existing provision of law for regulation of elections.

This is the first instance, in so far as I am informed, wherein any political party has ever attempted to modify or abridge the writ of mandamus. With the exception of the writ of habeas corpus, mandamus is the most sacred writ that can be issued by the courts. It is intended to afford a remedy when it is sought to deprive the individual of his property or any of the rights guaranteed by the laws of the land, while the writ of habeas corpus is intended to protect the citizen in the enjoyment of his liberty. These writs constitute the most speedy and effective remedies that are afforded to the citizen by the courts, and while I am not prepared to say that the legislature does not possess the power to modify the writ of mandamus in some particulars, at the same time I am quite sure that there can be no question that the adoption of the provision as a part of the registration act under which our election was held renders the election void, from the fact that its provisions render it possible to prevent the elector from exercising the right of suffrage, and while the authority to limit its application in general may not be questioned, at the same time any effort to apply its provisions to a registration act as contemplated in section 88, is clearly in violation of the State constitution, which fixes the qualifications of voters and guarantees the right to vote to all men who qualify themselves in accordance therewith.

Section 35, article 1, of the constitution of North Carolina, among other things, provides:

All courts shall be open, and every person having an injury done him in his lands, goods, person, or reputation shall have remedy by due course of law, and right and justice administered without sale, denial, or delay.

It will be observed by reading the foregoing section that the bill of rights of the constitution of my State provides that all courts of the State shall be open at all times for the purpose of granting such remedies as are necessary to secure to the citizen substantial justice in all matters that affect his person, property, or reputation, and that such remedy shall be granted without delay.

A registration act to be valid must be a thing of regulation simply, and the regulation must be necessary and reasonable; it must be to secure and facilitate the right of suffrage and not impair, abridge, or destroy it; registration must be subordinate to suffrage and not its master and destroyer.

In Paine's Law of Election (page 300) is the following:

The question whether a legislative provision is or is not constitutional, its validity always turns upon the question whether it is or is not a reasonable and convenient regulation of the right to vote, or is, under pretense of regulation and abridgment, a subversion or restraint of that right.

Judge Cooley thus states the law at page 757 of his work on Constitutional Limitations:

All regulations—

Mr. MONEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. PRITCHARD. Certainly.

Mr. MONEY. I simply desire to ask a question. I would ask the Senator from North Carolina to tell me from what decision he was reading. I could not hear him distinctly.

Mr. PRITCHARD. I read in the first place from Paine's Law of Election, page 300.

Mr. MONEY. I could not understand the Senator.

Mr. PRITCHARD. I was also about to read from Cooley's Constitutional Limitations, page 757.

Mr. MONEY. I did not catch the decision. I understood the Senator to quote a decision of some court.

Mr. PRITCHARD. Yes, sir.

Mr. MONEY. Will the Senator please tell me what that was?

Mr. PRITCHARD. Yes, sir; I will read it.

Mr. MONEY. I want the reference.

Mr. PRITCHARD. If we could have order in the Chamber, Mr. President, perhaps I could make the Senator understand me. The PRESIDING OFFICER. The Senate will be in order.

Mr. PRITCHARD. From Paine's Law of Election I read the following:

The question whether a legislative provision is or is not constitutional, its validity always turns upon the question whether it is or is not a reasonable and convenient regulation of the right to vote, or is, under pretense of regulation and abridgment, a subversion or restraint of that right.

Judge Cooley says in his work on Constitutional Limitations:

All regulations of the elective franchise, however, must be reasonable, uniform, and impartial; they must not have for their purpose directly or indirectly to deny or abridge the constitutional right of the citizen to vote or unnecessarily impede its exercise—if they do, they must be declared void.

Mr. MONEY. If the Senator will excuse me for interrupting him, I thought he was quoting from a decision, not from a textbook.

Mr. PRITCHARD. No, sir; but I do cite a number of decisions in this connection.

Mr. MONEY. May I be permitted to ask the Senator if his speech will appear in the RECORD to-morrow?

Mr. PRITCHARD. Yes, sir; it will all appear in the RECORD. I cite a number of authorities, but in order to get through rapidly I have omitted reading some of them.

In Page vs. Allen (58 Pa. Report, 338), among other things, Mr. Freeman, in reporting this case in the American decisions, says in a note:

The elaborate dissenting opinions of Justices Thompson and Sharswood clearly enforce the rule that registration laws should not be made so vexatious or so embarrassing as to impede or to discourage the attempt to register.

In the case of Monroe vs. Collins (17 Ohio, 665) it is very properly said:

That the legislation should be to facilitate rather than to impede the right of suffrage. Between the legislative power and the legal elector, no matter who or what he is, the constitutional provision stands as a bulwark for the protection of his right to vote.

In the case of Kenner vs. Wells (144 Mass., 497) we find:

Statutes can not impair the right to vote. Though they may regulate its exercise, every statute regulating it must be consistent with the constitutionally qualified voter's right to suffrage when he claims his right at an election—these statutes may require proof of the right consistent with the right itself, not to abridge or impair the right, but to require reasonable proof of the right.

Any legislation by which the exercise of his right is postponed, diminishing them, must be unconstitutional, unless it can be defended on the ground that it is reasonable and necessary in order that the right of the proposed voter may be ascertained and proven.

Brightly, in his Leading Election Cases, says:

The power to enact registration laws, so as to insure orderly exercise of the right of suffrage within the limits prescribed in Capen vs. Foster, is now generally admitted; that is to say, they must be reasonable and uniform regulations, and not under the color of regulation subvert or injuriously restrain the right itself.

Among the numerous other cases bearing on this point are the following:

Dell vs. Kennedy, 40 Wisconsin, 555.

Steane vs. Connor, 22 Nebr., 285.

Morris vs. Powell (Ind.) 29 American Law Register, 839, 125 Ind., 281.

White vs. Commissioners of Multnomah Co., 13 Oregon, 317.

Daggett vs. Hudson, 43 Ohio, 548.

These decisions leave no doubt as to the restrictions that are placed upon the legislature when it undertakes to frame a registration act. After the legislature had adopted the sections which I have quoted with respect to mandamus, it was an easy matter for the Democrats to carry the State of North Carolina by any kind of a majority which they might desire to have counted and returned. The provisions contained therein rendered it absolutely impossible to secure an adjudication of the right of the citizen to vote until after the election had been held, which necessarily postponed and deferred his right to such a time as to render it impossible for him to exercise it as provided by the constitution of our State.

Section 15 of the election law reads as follows:

That the registrar of each township, ward, or precinct shall be furnished with a registration book prepared as hereinbefore provided, and it shall be his duty between the hours of 9 o'clock a. m. and sunset, on each day (Sunday excepted), for twenty days preceding the day for closing the registration books, as hereinafter provided, to keep open said books for the registration of any electors residing within such township, ward, or precinct, and entitled to registration. That the said books shall be closed for registration at

sunset on the second Saturday before each election. That on each Saturday during the period of registration, the registrar shall attend with his registration books at the polling place of his precinct or ward for the registration of voters.

It will be observed that the foregoing provision for registration is limited to twenty days, and if the citizen should be denied registration (as thousands were in North Carolina at the last election) and should make application to the resident or presiding judge for a mandamus he would be confronted with section 88, which provides that no writ shall issue until the matter has been passed upon by a jury at the next regular term of the superior court, which, in nine cases out of ten, would convene after the twenty days had expired and after the election had been held, to say nothing about the other vexatious and unnecessary requirements that are to be found in section 89, placed there with the sole view of hindering and delaying the citizen in the exercise of a right which is guaranteed to him by the constitution of the State.

It is further provided by section 88 that the court shall not issue a mandamus at a special term, thereby precluding the possibility of the citizen having his right determined in the event that the governor should decide to call a special term for that purpose. This affords us another evidence of the fact that it was the intention of the legislature to place such restrictions in the statute as to render the citizen powerless to obtain relief from any quarter.

It is also provided in the same section that—

The matters stated in the affidavit, petition, or complaint, upon which such application is based or action or proceeding had, shall be taken and deemed to be denied—

thus permitting the election official to commit all manner of outrageous offenses, without being required to answer under oath any allegations made with respect to his official conduct.

In divorce proceedings, in many States, it is provided that the allegations in the complaint of either party are to be taken and deemed to be denied, but this provision is intended to prevent the commission of a fraud upon the rights of either party and are placed there owing to the confidential relations that exist between husband and wife. In the present instance, the provision to which I have alluded, was placed in the law in order to enable the unscrupulous election official to commit a fraud and as an assurance to him that the law would guarantee its concealment.

However, there are other provisions in the act which, in my judgment, are sufficient in themselves to render the act in question unconstitutional.

Section 28 provides that each ballot box shall be labeled in plain roman letters designating the officers to be voted for. Section 23, among other things, provides that each elector shall approach the polls from one direction through such passage; and after his ballot is deposited in the box, with as little delay as possible, shall depart from the passage leading from the polls. It is also provided that only one voter shall enter the passage at a time, and no one is permitted to speak or make signs to him, but there is no provision that the judges shall place the ballot in the proper box in the event the voter should be unable to read and write.

These provisions are in the nature of an educational qualification, and are in violation of the State constitution, in that they undertake to add an additional qualification to those prescribed by the constitution of the State.

In discussing this subject Mr. Narr, on suffrage, page 176, says:

The obvious conclusion is that the legislature can not add anything to the qualifications other than those prescribed by the organic law of the State.

The provision in question is a needless and vexatious requirement, which necessarily results in impeding the elector in the exercise of his right to vote.

There are many equally objectionable features to be found in our election law, but I am sure that these sections are of such a character as to remove all doubt as to the unconstitutionality of the registration act under which our election was held. And this brings us face to face with a serious proposition, one that has never been passed upon by this body. It is as to whether we shall accept the credentials of one who claims the right to a seat in this body by virtue of having been elected by a legislature whose members were elected under an election law that violates the principles enunciated in the cases from which I have just quoted. In other words, does it not appear from an inspection of these provisions that the registration act is unconstitutional, and if such be the case, would it not necessarily follow that any election held under a registration act containing such provisions is void? If I am correct as to this proposition, the members of the present legislature of my State were not legally elected, and therefore do not possess the constitutional authority to elect a Senator to represent that State in this body. It is clear to my mind that the framers of the Constitution of the United States meant exactly what they said when they provided that it was the duty of the United States to guarantee to each State a republican form of government, and this is the first time in the history of the Government wherein a case has been presented to this body for its consideration which

involved the question as to whether or not one of the States of this Union possesses a republican form of government.

I am aware of the fact that in the Turpie case this body held that the State legislature is the judge of the election, qualifications, and return of its own members; but while that is true, in so far as the action of the legislature with respect to the qualifications and election of its members is concerned, at the same time I do not understand that the Senate in that case decided that under no conditions would this body have jurisdiction to inquire into the methods and the laws under which a State legislature was elected. I call attention to the closing sentence of the report made in the Turpie case, which is as follows:

The majority of the committee do not mean to be understood as now committing ourselves to an opinion upon the question whether the Senate can not refuse to seat a claimant who owes his election to a legislative body which is itself the result of fraud or crime—which has overcome the true will of the people—even if it have possessed itself of legislative authority, and of the technical evidence of a rightful character, or whether the judgments of such a body as to the title to seats of its individual members are entitled to any respect whatever. If that question should hereafter unhappily arise, it will be dealt with on its own merits.

Here is an intimation by the distinguished Senator from Massachusetts [Mr. HOAR], who made the report for the committee, that this body would have jurisdiction to institute inquiry as to whether or not a State legislature had been elected by fraudulent or unfair methods. It would be difficult to present to this body evidence to the effect that the Democrats secured representatives from a majority of the counties in that State by intimidation; but when we remember the many outrages that were perpetrated in central and eastern Carolina at the last election, there can be no question as to the fact that the will of the majority of the people of that State was not expressed at the ballot box.

While I am not prepared to offer a remedy, at the same time I deem it my duty, as one of the Senators from that State, to give the Senate such information as I may possess with respect to the unlawful and unwarranted methods that have been resorted to by the Democratic party in order to obtain control of our affairs. However, these are matters which properly belong to the Committee on Privileges and Elections, and to that committee, composed as it is of some of the ablest lawyers in this body, I commend this question for its intelligent solution.

The present legislature has instituted impeachment proceedings against Chief Justice Furches and Associate Justice Douglas, of the supreme court, both of whom are Republicans, but inasmuch as the matter is now pending before the Senate as a court of impeachment I deem it improper that I should enter into a discussion of the merits of the case, further than to say that the judges are gentlemen of high character and standing, being lawyers of acknowledged ability.

I am informed that certain parties in the city of Raleigh are circulating a rumor to the effect that there exists an understanding between the judges and the leaders of the Republican party in the State, to the effect that the question of the validity of the amendments recently adopted to the constitution of the State, if brought before the court, to declare them unconstitutional and void; and that it is therefore necessary to remove the impeached judges to prevent the undoing of the work of the Democratic party in securing the adoption of the amendments.

In this connection I desire to state that there is not the slightest foundation for any such statement; that it is absolutely false, and a cruel wrong and injustice to these judges, to the Republican leaders of the State, as well as myself. The subject has not been mentioned, either directly or indirectly, to me by any member of the supreme court, and I am of the opinion that there is not a lawyer of any reputation in the State who would be guilty of such unprofessional conduct. I have not had the slightest intimation as to what would be the decision of the judges in relation to this question in the event that they should be called upon to hear the question upon review. It is highly probable that any proceedings which may be instituted for the purpose of testing the validity of the amendments will be begun in the United States court, inasmuch as there is a Federal question involved, and which will preclude the possibility of the State court being called upon to deal with the questions involved.

Mr. McCOMAS. May I, without interrupting the Senator from North Carolina, ask him whether the newspaper statement is accurate in saying that the charges against the judges who are thus impeached is really in respect of the exercise of their judicial judgment? Is that or not so?

Mr. PRITCHARD. I do not know that I understand the Senator from Maryland.

Mr. McCOMAS. What are the charges upon which the impeachment is grounded?

Mr. PRITCHARD. It is alleged that the judges of the supreme court violated the constitution in issuing a writ of mandamus to compel our State treasurer to pay over certain moneys that were due Mr. Theophilus White, shellfish commissioner. There was a contest in the court as to who was the proper occupant of the office. The supreme court held that Mr. White was entitled to the

office. The treasurer refused to pay over the amount due him, and the supreme court issued a mandamus directing the treasurer to pay over the amount found to be due him.

Mr. McCOMAS. Then, if I understand, the ground of impeachment is that in exercising their discretion, which they must do in issuing or refusing a mandamus, they exercised a discretion against the will of the legislature?

Mr. PRITCHARD. That is it.

Mr. McCOMAS. There is no allegation that they corruptly exercised it?

Mr. PRITCHARD. Of course, the articles of impeachment contain allegations to that effect, but as I understand it there is no evidence to sustain such allegations.

Mr. McCOMAS. What sort of a legislature and what sort of a system have you in North Carolina, if that be true?

Mr. PRITCHARD. I leave that to my distinguished friend to say, under the circumstances.

Mr. SPOONER. Will the Senator from North Carolina allow me to ask him a question for information?

Mr. PRITCHARD. Certainly.

Mr. SPOONER. The question is whether under the laws of that State there can be any question as to the right of this man to receive compensation if he were entitled to the office, which the court had decided him to be.

Mr. PRITCHARD. There could not. After the court had rendered judgment that he was the rightful occupant of the office it necessarily followed that he was entitled to the emoluments of the office.

Mr. SPOONER. Then the impeachment, so far as he is concerned, arises out of a disagreement of the legislative body with the supreme court in their decision that he was entitled to the office.

Mr. PRITCHARD. Yes, sir; they say the judges improperly decided it.

Mr. BUTLER. If my colleague will pardon me, in answer to the question of the Senator from Maryland, I want to make it emphatic that there is not only no charge of corruption in the impeachment, but no newspaper or politician in the State has ever suggested that there was any suggestion of corruption. So there is not even a hint or a suggestion of it.

Mr. TILLMAN. I was not fortunate enough to hear all that the Senator from North Carolina said, because I have been absent from the Chamber, and therefore I am not in a position to interrogate him intelligently; but it seems to me, as an outsider and a neighbor, that until the senate, which will try the impeachment cases, has acted the mere action of the house in ordering the impeachment, I believe, does not warrant the belief that the judges will be convicted, and that, therefore, we had better wait until we have here something of a concrete character to discuss.

Mr. PRITCHARD. I will say to my distinguished friend that if he had been in the Chamber a while ago he would have heard me say that I did not propose to discuss the merits of this question, inasmuch as it is pending before a court of impeachment. I was merely replying to questions that were propounded to me by different Senators.

Mr. TILLMAN. I thought from the tenor of the discussion that there was some imputation upon the integrity of purpose of the North Carolina legislature, and as it is a neighboring State, and I happen to believe, at least, that the members of that body are too high minded and have too much regard for their duties to be guilty of any underhand or dirty partisan action, I said what I did without intending to do more than to defend those people from any such imputation until they themselves have given ground for contrary belief.

Mr. McCOMAS. If the Senator from South Carolina will allow me, I understand now from the statement of the two Senators from North Carolina that the judges exercised their judgment in respect of a writ of mandamus and pronounced upon appeal the right of a person to office, but it is not alleged that in so doing they acted corruptly. For mistakes of law judges necessarily for centuries have been held not answerable. If there is no allegation in the impeachment by the house that the judges acted corruptly, then indeed it is an impeachment by the house differing in judgment from the members of the supreme court of North Carolina, which impeachment itself necessarily impeaches those who make it, because unless a judge acts corruptly or it is alleged that he acts from a malevolent feeling or motive, then undoubtedly it is a case without ground of impeachment. I do not know the facts, but the two Senators from North Carolina say that it is in this fashion.

Mr. DANIEL. Will the Senator allow me?

Mr. ALLISON. I wish to admonish the Senator from North Carolina that I yielded only for his observations and not for general debate.

Mr. PRITCHARD. On that suggestion, if the Senators will excuse me, I must decline to yield, because I am talking in the time of another Senator.

Mr. MONEY. Does the Senator from North Carolina decline to yield?

Mr. PRITCHARD. The Senator from Iowa yielded this morning with the understanding that I would be as brief as possible.

Mr. MONEY. I should like permission to proceed for about three minutes, if you please.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. MONEY. I want to say—

The PRESIDING OFFICER. The Senator from North Carolina has not yet yielded.

Mr. MONEY. Very well.

Mr. PRITCHARD. I can not yield unless the Senator from Iowa is willing.

Mr. MONEY. I give notice that I will reply to the Senator from North Carolina at 1 o'clock to-morrow, after the routine morning business shall have been concluded.

Mr. PRITCHARD. The Senator has a perfect right to do that.

Mr. MONEY. I give that notice.

Mr. TILLMAN. I suggest to the Senator from Iowa that as soon as the appropriation bill is taken up we can immediately proceed to discuss anything under high heaven, and if the Senate desires to eliminate the unknown quantities in respect of the little dirty linen of North Carolina that is being washed here we had better be allowed to wash it now, because it will protract the discussion and more time will be lost by bringing it up on a set speech than it will simply to get rid of the unknown quantities at this time.

Mr. ALLISON. I am sure the Senator from South Carolina will not ask to interrupt the sundry civil bill?

Mr. TILLMAN. Not at all.

Mr. ALLISON. There will be plenty of opportunity to discuss this question at other times.

Mr. PRITCHARD. I had not intended, as I said at the beginning, to refer to any matter that was pending before the court of impeachment, because I deem it highly improper to do so. I will now say that I have the utmost confidence in the integrity of the gentlemen who compose the senate of North Carolina. Many of them are my personal friends, and I feel sure that when they come to consider this matter they will consider it as judicial officers and as the law requires them to do, and that they will do justice to all parties concerned.

The Democratic party of North Carolina, in its mad rush for office and power, has ignored all rules of decency in its treatment of public affairs and public officials. It was contended by them that what they did in 1898 was a revolution, and I am inclined to believe that such was the case, because many of the acts of the present legislature are revolutionary in the extreme. That body, in its treatment of many public questions, has displayed a spirit of partisanship that ought to put to blush the cheeks of every conservative citizen of North Carolina of whatsoever party.

In the elections of 1898 and 1900 thousands of colored men, as well as a number of white men, who were entitled to vote under our State constitution, were refused registration, and, as a result, a number of registrars were indicted under sections 5508-5510 of the Revised Statutes of the United States, and some of them were charged with conspiracy. These cases are now pending in the United States district court for the western district. A number of bills were found subsequent to the last election, but on motion of the counsel for defense they were all continued until the spring term in order that partisan feeling might subside and thereby insure to them a fair and impartial trial. These men were indicted for denying to the citizen a right to which he was entitled under our State constitution and being indicted for violating the laws of the United States they had no right to expect the aid of the people of North Carolina in the conduct of their trial, but in face of the fact that the bills upon which they had been arraigned were found by a grand jury composed of leading Republicans, Populists, and Democrats, the legislature, during its present session, has passed a law which authorizes the governor to employ counsel to conduct their defense and to pay their attorney fees out of the funds in the State treasury. In the first instance, the Republican taxpayers of the State are compelled to submit to the unlawful methods by which members of their party are denied their constitutional rights, and, in the second instance, they are taxed to raise money with which to pay the attorney fees of the very men who robbed them of their rights. Here we have partisanship of the rankest kind. I have never known any party to permit their greed for office to force them into such an uncompromising attitude before the American people. It only tends to show the character of the methods that are being employed in my State in order that a few Democrats may hold office. It is a blot upon the fair name of the State and places our people in a false attitude, because the majority of the people of North Carolina are honest, conservative, and law-abiding. The rank and file of the Democratic party, in my humble opinion, are not in favor of the unjustifiable methods that are now being resorted to by the members of the State legislature in order to retain control of our affairs in the future.

While discussing this phase of the question I desire to call attention to another bill which has been introduced in the State

legislature and which will, in all probability, become a law during its present session. The bill in question is as follows:

SECTION 1. That chapter 16, volume 2, of the Code, be, and the same is hereby, repealed.

SEC. 2. That sections 47, 48, and 52 of chapter 1 of the laws of 1900, enacted at the adjourned session in June, 1900, and ratified June 13, 1900, be, and the same are hereby, amended by adding at the end of each of said sections the words "Provided, That no indictment shall be found or prosecution begun, or maintained, under the provisions of this section or for any violations of the provisions of this act, unless such indictment be found or prosecution be begun within thirty days after the alleged commission of such offense."

SEC. 3. This act shall be in force from and after its ratification.

Section 47 provides that any registrar or judge of election, or county canvasser or commissioner, register of deeds, clerk or chairman of the county board of elections, who shall fail to make returns and perform the duties required of him, shall be fined not less than five hundred nor more than one thousand dollars, or imprisoned not more than six months nor less than two months, at the discretion of the court, and that he shall forfeit and pay the sum of \$500.

Section 48 provides that if any chairman of the county board of elections, or other returning officer, shall willfully, or of malice, neglect to perform any duty, act, matter, or thing required or directed in the time, manner, and form in which such duty, act, matter, or thing is required to be performed in relation to the election and returns thereof, that the person so fined shall be guilty of a felony and fined not less than one thousand nor more than five thousand dollars, and be imprisoned not less than one nor more than three years.

Section 52 provides that any person who by force or violence shall break up or stay any election by assaulting the officers thereof, or depriving them of the ballot boxes, or by any other means, his aiders or abettors shall be guilty of a misdemeanor, and imprisoned not more than three months, and pay such fine as the court shall adjudge, not exceeding \$100. It also provides that if any person shall interrupt or disturb the registrar while engaged in the registration of voters, or the registrar or judges of election while engaged in holding the election, etc., he shall, upon conviction, be fined not more than \$50 or imprisoned not more than thirty days.

These provisions were placed in the election law by a Democratic legislature and were referred to by speakers representing that party in the last campaign as an evidence of the fact that they were in favor of a fair and honest election; but I am informed that a number of election officials have already been indicted in the State courts and that quite a number of prosecutions are in contemplation, and in order to shield their henchmen who have deliberately violated the law in order to secure the election of some of the men who now constitute our legislature it is openly proposed to wipe from the statute book by limitation all the provisions by which they can be indicted and punished.

They expend the money of the people of the State to defend those who violated the law for their sake and in consequence of which they are indicted in the United States court, but inasmuch as the State of North Carolina is a party to all prosecutions for violations of law or of offenses over which the State courts have jurisdiction, it seems that our Democratic friends have decided that the only way to protect their political associates who are liable to be convicted in the State courts for violating a law, which many of the present members of the legislature helped to enact, they deliberately decide to pass a general amnesty law, granting a pardon to this class of violators of the law. I can not understand why it is that our Democratic friends should be so anxious about the fate of those who have been indicted, because it is contended by them that they are innocent, and if such is the case they will no doubt be acquitted by a jury of their countrymen.

I have been appealed to by a number of Democrats to do what I could to induce the district attorney to nolle prosequere the various cases that are pending in the United States court; but I have declined to interfere in these cases, feeling, as I do, that the enforcement of the laws of the United States is intrusted to the courts, and that any interference on my part would be unwarranted. If these men are innocent they ought not to be convicted or punished; but if they are guilty, then they ought to be required to answer the charges on which they are indicted in the State or Federal courts.

The enactment by the present general assembly of North Carolina of an honest election law will protect every citizen of the State in the enjoyment of his rights, and if such is executed then there will be few, if any, violations of the law in the future, and the necessity of indictments will cease. If such a statute is to be enacted, let its provisions be marked in every line with simplicity, for as the law demands obedience, its spirit and meaning should be brought within the intelligence of every citizen if obedience is expected.

The race question is a thing of the past in North Carolina. The colored man has never dominated the affairs of the white man in that State, and he is less inclined now than ever before to engage in political affairs.

The voting population of our State, according to the census of 1890, is as follows:

Total white vote	233,650
Total colored vote	124,107

making an excess of white over colored voters of 109,543.

I am sure that the present census will show that there are not more than 95,000 colored voters in the State of North Carolina to-day, thousands of them having left the State since 1890. But this cry of white supremacy by the Democrats is hypocritical, calculated and intended to deceive the voters of the State.

I call attention to the fact that at the August election in 1900 in 48 counties in North Carolina, wherein one-fourth colored people and more than one-half the white people reside, the Republicans secured a majority of 3,168, and in 50 counties, wherein four-fifths of the colored voters reside and less than one-half the white people, the Democrats secured a majority of 57,140.

Before the last election in North Carolina the chairmen of the Republican and Populist committees in a number of eastern counties submitted for appointment as judges of election a list of names of white Populists and Republicans who were men of high character and standing; but the leaders of the so-called white-supremacy party refused to appoint them and appointed colored men in their stead.

Under our laws judges of election are vested with judicial functions, being empowered to order arrests without warrants and to punish for contempt, and here we have an instance wherein the so-called white-supremacy party furnished us an example of its inconsistency by appointing colored men to positions wherein they are authorized to exercise the functions of a judge.

There is no disposition on the part of the Republicans of North Carolina to keep alive race or sectional questions. The constitutional amendment which was adopted at the August election has passed out of the realm of politics, and it now becomes a question for the courts, and no one is inclined to interfere with an orderly consideration of the question, in the event that it should be presented to the proper tribunal for solution. We have at last reached a point where the living issues of the day ought to be considered by the people of North Carolina without having them obscured by matters that are calculated to create a prejudice in the minds of our people and which necessarily result in the indifferent consideration of all questions that vitally affect our welfare.

It affords me pleasure to say that the Democratic machine of North Carolina is no respecter of persons when the fate of any member of the inner circle is involved. There was a primary held in our State at the last general election for the selection of a candidate to be voted for for United States Senator, and it is boldly charged by some of the best Democrats in the State that the result was secured by fraudulent and corrupt methods.

As to the truthfulness of this statement I know nothing, but the defeated candidate, Hon. Jule Carr, is one of the most highly respected citizens of our State. He has done more to aid the benevolent institutions of the State than any other member of the Democratic party; and, with the exception of Mr. Duke or Durham, I will say that he has done more in this line than any citizen in the State. He is an honored member of the Confederate Veterans' Association of the State, a majority of whom were exceedingly anxious to secure his election, but he could not stem the tide which for the present seems to be irresistible, and he shared the fate of those who have dared to incur the displeasure of the ring.

The present legislature has shown a disposition to legislate so as to dishearten rather than to encourage the many industrial enterprises that are being developed throughout our section and without which there is no hope for us in the future. The time is ripe for the organization of a movement on the part of those who desire to secure the upbuilding of our State and the development of our wonderful resources. We have all the natural advantages necessary to make North Carolina one of the richest States in the Union, but we can never expect to place her in that position to which she is so justly entitled until the conservative business men and the farmers come together with a determination to labor for the attainment of that end.

I desire to thank the Senator from Iowa for his indulgence.

Mr. BUTLER. Mr. President, I had intended to submit some brief remarks following my colleague on the resolution to which he has spoken, but I was out of the Chamber on a conference committee during a part of his speech and I desire to read it before speaking, and besides, I do not wish at this time to stand in the way of the appropriation bill being disposed of. I give notice that at a later time, before the end of this session, I will submit a few remarks on the resolution.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the

bill (H. R. 10399) to restore to the public domain a small tract of the White Mountain Apache Indian Reservation in the Territory of Arizona.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12396) to amend an act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes, approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said bill.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9839) to provide for the celebration of the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, manufactures, and the products of the soil, mine, forest, and sea in the city of St. Louis, in the State of Missouri, and for other purposes; further insists upon its disagreement to the amendment of the Senate numbered 2, upon which the committee of conference were unable to agree; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. TAWNEY, Mr. STEELE, and Mr. WILLIAMS of Mississippi managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (S. 323) granting homesteaders on abandoned Fort Fetterman Military Reservation of Wyoming the right to purchase one-quarter section of public land on said reservation as pasture or grazing land;

A bill (H. R. 3819) for the relief of the widows and children of William Ryan and John S. Taylor, deceased;

A bill (H. R. 5220) for the relief of Charles M. Kennedy;

A bill (H. R. 7571) to prevent the failure of military justices, and for other purposes;

A bill (H. R. 7760) for the relief of James Kelly;

A bill (H. R. 10899) to restore to the public domain a small tract of the White Mountain Apache Indian Reservation, in the Territory of Arizona;

A bill (H. R. 11161) to refund excessive postage paid on certain newspapers;

A bill (H. R. 12394) to amend an act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898, and to reduce taxation thereunder;

A bill (H. R. 13707) authorizing the Citizens' Bridge Company to construct a bridge across the Mississippi River;

A bill (H. R. 13801) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1902;

A bill (H. R. 13803) to amend section 19 of chapter 252, Twenty-ninth Statutes at Large, approved May 23, 1896;

A bill (H. R. 13850) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1902;

A bill (H. R. 13865) relative to the suit instituted for the protection of the interests of the United States in the Potomac Flats;

A joint resolution (H. J. Res. 249) providing for the publication of the report of the board of management of the United States Government exhibit at the Tennessee Centennial Exposition; and

A joint resolution (H. J. Res. 259) to regulate the distribution of public documents to the Library of Congress for its own use and for international exchange.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, under the head of "Under Legislative," page 141, after line 18, to insert:

Senate: For compensation of officers, clerks, messengers, and others in the service of the Senate, namely, for 10 clerks to Senators who are not chairmen of committees, at the rate of \$1,500 per annum, \$7,500.

Mr. CULBERSON. I call the attention of the chairman of the committee to this provision and ask an explanation of it.

Mr. ALLISON. Under the law Senators who are not chairmen of committees are entitled to a clerk at the rate of \$1,500 per annum. For the fiscal year, upon examination of the rolls of Senators, it is found that under the present organization of the committees there will be ten Senators who will not be chairmen of committees.

Mr. CULBERSON. Only ten Senators?

Mr. ALLISON. Only ten, I understand. That is the object of the amendment. Of course, if there are more than ten, they

would be entitled to employ clerks, who will be paid, but they can not be paid under the appropriation made at this session.

Mr. CULBERSON. I understand, of course, that every Senator who is not a chairman is entitled to a secretary under the present law at a salary of \$1,500 a year, and he is entitled to a messenger at a compensation of \$720 a year. If this provision is intended to carry out that law, I can not so understand it, for it provides:

For compensation of officers, clerks, messengers, and others in the service of the Senate, namely, for 10 clerks to Senators who are not chairmen of committees, at the rate of \$1,500 per annum, \$7,500.

Does that propose that ten Senators who may be selected out of the body who have not chairmanships shall have an additional clerk at \$1,500 a year while for other Senators there is provided a clerk and a messenger at \$720 a year?

Mr. ALLISON. Clerks for certain Senators are provided for in the legislative appropriation bill, I understand, and certain others are provided for here. I had forgotten the provision in the legislative bill for the moment. It is difficult to ascertain exactly the number. For example, if the committees of the Senate are reorganized at the extra session of the Senate probably a portion of this appropriation will not be needed; but if there is not a reorganization of committees at the extra session all of this appropriation will be needed, and it is possible that provision may be required for one or two more clerks; but I think not. I think this provides for every Senator who will not be chairman of a committee under the present organization of the Senate.

It will be necessary before the session closes to adopt the usual resolution at the end of a Congress, which is that the committees as now organized shall continue until the next regular session, or until the Senate reorganizes its committees. So all that machinery will be necessary to make a proper adjustment and arrangement in respect of these clerks.

I think this provision will be ample, no matter what may be done or what may not be done at the extra session. There are 30 annual clerks to Senators who are not chairmen of committees provided for in the legislative appropriation bill, which will become a law, of course, and here 10 in addition are provided for. If the Senate is reorganized at the extra session of the Senate, it is probable that this appropriation will not be needed. If it is not needed, of course the money can not be used for that purpose. I think, taking the two bills together, the adjustment is a proper one for the convenience of all Senators.

Mr. MONEY. I fully understand the Senator; but I desire to ask him what is the sense of the word "messengers" in this clause:

For compensation of officers, clerks, messengers, and others in the service of the Senate, namely, for 10 clerks to Senators.

What is the use of inserting the words "officers, messengers, and others?" It seems to me the word "messengers" is superfluous.

Mr. ALLISON. It is not a superfluous word here, but that is the usual way under which this appropriation is made; and if there are no messengers required other than those already provided for in the legislative bill, I think that surplusage can do no harm.

Mr. MONEY. I do not know that it will, unless there is something that follows it. But I will ask the chairman, if there are 30 members of this body provided with clerks at the salary named—\$1,500 per annum—whether there will be any 10 men needed? In other words, I should like to know whether these 10 extra clerks are to go to those who have no chairmanships and yet have private secretaries under the legislative appropriation bill at \$1,500 a year?

Mr. ALLISON. For clerks to Senators who are not chairmen of committees. It has no relation to our adjustment here for the convenience of Senators as respects messengers.

Mr. MONEY. I understand that each Senator is allowed a private secretary, at \$1,500 a year, if he is not chairman of a committee.

Mr. ALLISON. Which is this appropriation and the one corresponding to it in the legislative appropriation bill.

Mr. MONEY. I understand that private secretaries are provided for in the legislative appropriation bill for each one who is not chairman of a committee.

Mr. ALLISON. They are. There are 30 provided for in the legislative appropriation bill. Now, suppose it should turn out that there are 35 Senators who are not chairmen of committees in the reorganization?

Mr. MONEY. That is exactly the information I want to get.

Mr. ALLISON. If there are 35, then this additional appropriation will apply to that extent to Senators who are not chairmen; and if there shall be 10 more, this appropriation will provide for them. It was the expectation and desire of the committee to provide a sufficient number of clerks to Senators who were not chairmen of committees, whatever may be the result of the reorganization in March or a failure to reorganize until the next regular session.

Mr. MONEY. Then I understand the Senator to say that this

is simply provisional, in case there is an excess of 30 Senators without chairmanships?

Mr. ALLISON. If there would be more than 30 Senators without chairmanships, then this is intended to provide for those.

Mr. MONEY. And it is not intended to apply unless they are without chairmanships?

Mr. ALLISON. It can not, under the existing law.

Mr. CLAY. I did not exactly understand the Senator and I do not yet, although he is usually very clear. As I understand it, a Senator who is not chairman of a committee has his clerk at a salary of \$1,500 a year and a messenger at \$720 per year. That is the law as it stands at this time.

Mr. ALLEN. Practically so.

Mr. CLAY. Now, do I understand that this amendment gives ten Senators who have no chairmanships a clerk, to which they are entitled anyway, as an additional clerk, at \$1,500 per year also?

Mr. ALLISON. It does not. Under these two provisions taken together every Senator who is without a chairmanship will be provided with a clerk. Under other provisions in the legislative appropriation bill, the provision as respects messengers, etc., that is already provided for, so that this is only an appropriation to make it certain that every Senator who appears here on the 4th of March and who is not after that time made chairman of a committee will have a clerk at an annual salary of \$1,500.

Mr. CLAY. It does not change the present conditions, as I understand it.

Mr. ALLISON. It does not change the present conditions.

Mr. MONEY. There are 63 chairmanships, I am informed. There are only 90 Senators. Therefore there are only 24 Senators without chairmanships. If that is true, and 30 Senators have been provided for, provision has been made for 6 too many. I do not object to this item if I can understand what is proposed here. If it is proposed to give another clerk to 10 Senators and leave out others who will not be chairmen, there will certainly be objection made to it. If there are 66 committees, as I understand there are, although I am not particularly informed about it, then there can be only 24 Senators without chairmanships, and if the legislative appropriation bill provides for 30 we provide already for 6 more than are necessary. I suppose the Senator has the figures there, and he can tell me if I am correct about the statement regarding 66 chairmanships.

Mr. ALLISON. No one can tell what the number of committees will be after the 4th of March, whether it will be 60 or 66. We may have the same number of committees; we may increase the number of committees, or it may be diminished.

These two provisions, taken together, provide for all the Senators who are to be here after the 4th of March, either as chairmen of committees or as Senators, and if there shall be only five or three of the persons herein provided for required, that will be all that will be used of the appropriation. I suggest to the Senator that it is to the interest of Senators to make such provision as will not embarrass Senators who are not chairmen of committees after the 4th of March.

Mr. MONEY. If the number of committees should be reduced, of course there would be more Senators to be provided for who would not be chairmen, but there is not any likelihood of any reduction in the number of committees. If the number of chairmen is increased, which is more likely, then there will be less necessity for this provision.

All I am anxious to know is whether a Senator without a chairmanship, who is entitled to a private secretary, is to have another clerk or not, to the exclusion of other Senators who are in his condition without a chairmanship. In other words, there should be absolute equality all along the line. If I can understand that to be the purpose of this measure, which is obscure, I will raise no objection about it, and I do not desire to raise any. I simply want an understanding about it; that is all.

Mr. ALLISON. Of course, the Committee on Appropriations can only take the estimate of the financial clerk, who has charge of these payments and who presented to us this estimate. If it should turn out that we have provided for more clerks than are needed, they can not draw pay, because each Senator is entitled to one clerk and no more, and he can secure no more under this provision.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 141, after line 23, to insert:

For furniture for the new committee rooms of the Senate in the old Library portion of the Capitol, \$21,000.

The amendment was agreed to.

The next amendment was, on page 143, after line 18, to insert:

Statue of Washington: For a replica of the bronze equestrian statue of Gen. George Washington, designed by Daniel Chester French and Edward C. Potter, erected in the city of Paris, France, by the women of the United States, \$20,000, to be expended under the direction of the Joint Committee on the Library.

The amendment was agreed to.

The next amendment was, on page 143, after line 24, to insert:

Statue of Rochambeau: For the purchase by the Joint Committee on the Library of a replica of the bronze statue of Rochambeau by Ferdinand Hamar, and pedestal for the same, \$7,500.

The amendment was agreed to.

The next amendment was, on page 144, under the head "Public printing and binding," line 16, before the word "thousand," to strike out "fifty" and insert "fifty-eight;" so as to make the clause read:

For the public printing, for the public binding, and for paper for the public printing, including the costs of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving for both Houses of Congress, the Supreme Court of the United States, the supreme court of the District of Columbia, the Court of Claims, the Library of Congress, the Executive Office, and the Departments, including salaries or compensation of all necessary clerks and employees, for labor (by the day, piece, or contract), and for rents, books of reference, and all the necessary materials which may be needed in the prosecution of the work, \$4,653,000; and from the said sum hereby appropriated printing and binding shall be done by the Public Printer to the amounts following, respectively, namely:

The amendment was agreed to.

The next amendment was, on page 146, line 16, before the word "thousand," to strike out "seven" and insert "fifteen;" and in the same line, after the word "dollars," to insert:

And said sum shall complete all engravings and illustrations for said report, and no deficiency shall be made in this appropriation, and said report shall be confined to four volumes.

So as to make the clause read:

For the United States Geological Survey as follows:

For engraving the illustrations necessary for the report of the Director, \$15,000; and said sum shall complete all engravings and illustrations for said report, and no deficiency shall be made in this appropriation, and said report shall be confined to four volumes.

The amendment was agreed to.

The next amendment was, on page 148, after line 13, to insert:

The Public Printer shall print as many extra copies of the monthly catalogue of Government publications as may be needed by the superintendent of documents to supply the same to all who shall subscribe therefor at 75 cents a year.

The amendment was agreed to.

The next amendment was, on page 148, after line 17, to insert:

That the catalogue of Government publications, authorized by section 69 of an act approved January 12, 1895, providing for the public printing, binding, and distribution of public documents, shall hereafter be designated as the "Document Catalogue;" and the same shall be prepared and published in one volume biennially, beginning with the Fifty-fifth Congress.

The amendment was agreed to.

The next amendment was, at the top of page 149, to insert:

That there be printed and bound 1,600 copies of the proceedings in connection with the reception of the Webster statue on January 18, 1900, in the form prescribed by law for engravings, of which 100 shall be for the use of the donor of the statue, 300 delivered to the Senators and Representatives of the States of New Hampshire and Massachusetts, 400 for the use of the Senate, and 800 for the use of the House of Representatives, and that the Public Printer be, and he is hereby, directed to procure a photogravure of the said statue, and photogravures of each of the two bronze panels, and of the unveiling, for insertion in said volumes.

The amendment was agreed to.

Mr. MONEY. If I may be allowed, I wish to call the attention of the chairman of the Committee on Appropriations to the paragraph we had under consideration a few moments ago, on page 141, beginning in line 19, "for compensation of officers, clerks, messengers, and others in the service of the Senate." The appropriation is for 10 clerks, at \$1,500 per annum, and the total amount appropriated is only \$7,500. I merely wish to call the attention of the Senator to the discrepancy in the sum. I think, instead of \$7,500, the sum should be \$15,000.

Mr. ALLISON. I take it that the appropriation necessary to cover the remainder will be found in the legislative, executive, and judicial appropriation bill. I presume the appropriation is for only a part of the year. I have no objection, however, if there be any question about it, to inserting "\$15,000" instead of "\$7,500," in line 23, on page 141, and then if we find it is not needed we can have it changed.

Mr. PLATT of Connecticut. Fifteen thousand dollars is the appropriation necessary to pay the ten annual clerks at \$1,500 a year. I suppose this appropriation was intended to pay clerks during the session of the Senate, being an average of six months.

Mr. ALLISON. That is not the purpose. Clerks to Senators are paid an annual salary. I have not in mind just now why the aggregate amount there is only \$7,500. I move to make the amount \$15,000, and it can be corrected hereafter if we find there is any mistake about it.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON] to the committee amendment, which has been adopted.

The amendment to the amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, at the top of page 150, to insert:

PAN-AMERICAN EXPOSITION, BUFFALO, N. Y.

For the benefit and to the use of the Pan-American Exposition to be held at Buffalo, in the State of New York, from May 1, 1901, to November 1, 1901,

\$500,000, to be immediately available, said sum to be paid to and be disbursed by the Pan-American Exposition Company under rules and regulations and under conditions to be prescribed by the Secretary of the Treasury: *Provided, however, That in the distribution of any moneys that may remain in the treasury of the said Pan-American Exposition Company after the payment of its debts the aforesaid sum so appropriated shall be repaid in full into the Treasury of the United States before any dividend, return, or distribution shall be made to the holders of the capital stock of said corporation: And provided also, That the United States shall not in any circumstances be liable for any debt or obligation of the said corporation or for any payment in addition to the foregoing sum. That as a condition precedent to the payment of this appropriation the Pan-American Exposition Company shall contract to close the gates to visitors on Sundays during the whole duration of the fair.*

Mr. COCKRELL. Let that amendment be passed over for the present.

The PRESIDENT pro tempore. It will be passed over.

The Secretary resumed and concluded the reading of the bill.

Mr. PLATT of Connecticut. What has become of the amendment relative to the Buffalo Exposition?

The PRESIDENT pro tempore. The Senator from Missouri [Mr. COCKRELL] asked that it might be passed over for the present.

Mr. ALLISON. I desire to offer one or two amendments to the bill on behalf of the committee. On page 12, after line 16, I move to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 12, after line 16, it is proposed to insert:

For the establishment of a light-house and fog signal at Point No Point, Chesapeake Bay, Maryland, between Cove Point and Smiths Point, \$65,000.

The amendment was agreed to.

Mr. ALLISON. On behalf of the committee, I also offer another amendment, on page 76, after line 2, which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 76, after line 2, it is proposed to insert:

For examination of and report on the topography and geology of the territory adjacent to the forty-ninth parallel west of the one hundred and tenth meridian, \$10,000, to be immediately available, and to remain available until expended.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 29, line 17, before the word "thousand," it is proposed to strike out "three" and insert "thirteen;" and after the word "thousand," in line 18, to insert "to be immediately available, and to remain available until expended;" so as to make the clause read:

For any special surveys that may be required by the Light-House Board or other proper authority, and contingent expenses incident thereto, \$13,400, to be immediately available, and to remain available until expended.

The amendment was agreed to.

Mr. ALLISON. There are two or three amendments passed over, which I ask that the Secretary may now state.

The PRESIDENT pro tempore. The first amendment passed over was on page 68. The amendment will be stated.

The SECRETARY. The first amendment passed over was on page 68, beginning on line 29, as follows:

Provided further, That any person residing within the limits of any forest reservation in Colorado, Montana, Idaho, Utah, or Wyoming, or any person who did reside therein at the time of its creation, or whose live stock had ranged within the area covered by such reservation prior to its creation and still ranges within its limits, shall be permitted to graze live stock continuously throughout the year within the limits of such reservation upon the condition that he will at all times use his best efforts to prevent the starting and spread of forest fires in the locality in which his stock ranges.

Mr. PLATT of Connecticut. Has the amendment of the committee been amended?

The PRESIDENT pro tempore. The amendment has been amended, and was read as amended.

Mr. PLATT of Connecticut. I should like to make a single inquiry about this provision, and that is, who is to judge as to whether a man will "use his best efforts to prevent the starting and spread of forest fires in the locality?"

Mr. TELLER. I suppose the only way is to leave that to the Secretary of the Interior.

Mr. PLATT of Connecticut. This gives the Secretary of the Interior no authority in the matter. That is what I wish to call attention to.

Mr. TELLER. I wish to say to the Senator from Connecticut that nobody is so much interested in stopping fires as the men who live and graze their cattle on the reservations.

Mr. PLATT of Connecticut. I should like the attention of the chairman of the Committee on Appropriations for a moment. I do not know that there is any objection to the purpose of this amendment; but I do think that there should be some safeguard thrown about it, so that the person grazing cattle on these forest reservations should not be his own judge as to whether he is using

the proper endeavors to prevent the spread of fires. If this question goes into conference, I hope the chairman of the committee will take it into consideration.

Mr. ALLISON. This amendment was inserted on the motion of a member of the committee, who seems to think that this provision will not prove disadvantageous to the forest reservations. I have great doubt about it myself; and I should be glad to have some member of the committee who advocated this measure in the committee room explain in detail just what it will do and what it will not do.

Mr. PLATT of Connecticut. To make myself perfectly clear, I wish to refer to the language of the amendment. It provides that any person whose live stock has ranged within the area covered by a reservation prior to the setting aside of the reservation shall be permitted to graze live stock continuously, as the language now reads, I believe.

Mr. TELLER. It reads "continuously throughout the year."

Mr. PLATT of Connecticut. The provision continues:

within the limits of such reservation upon the condition that he will at all times use his best efforts to prevent the starting and spread of forest fires in the locality in which his stock ranges.

The Senator from Colorado [Mr. TELLER] says it is as much for the interest of such a person as it is for that of anybody else that there should be no fires there. Probably that is true, but when a privilege is granted upon condition that a man will use his best efforts to prevent fires it seems to me there should be some provision as to the regulations prescribing the terms upon which that grazing shall be permitted. I do not know how to amend it, but I think it ought to be amended.

Mr. TELLER. The Secretary of the Interior, by general statute, has general authority over these forest reserves. The Department has provided regulations for the government of these forest reserves, and among other things they have provided that cattle should be grazed only nine months in the year. Every man familiar with the subject knows that no harm is done by grazing cattle there during the additional three months, and that no possible advantage occurs by taking the cattle off during the winter months. There is not anything for the cattle to eat except the dry grass, which cures in that country, and becomes like hay, on account of the aridity of the atmosphere.

To remove the cattle from those reserves would practically destroy the value of the property of the settlers residing within the reserves, who were there before the reserves were made, who can not be dispossessed, and who never ought to have been included in a reserve. Great hardship has been the result of that action, and a great deal of excitement now exists because of an attempt on the part of the Department to remove the cattle belonging to those people. It can not be done; it is an impracticable thing. When one reserve in the State of Colorado was made it had 185 settlers, who went there and who owned the land. They were shut out from any further settlement. Nobody else could go in. They have been left to take care of their schools in a limited way, with no help, as they had a right to expect from increased settlement. In every way it has been a great hardship.

I want to say that practically all those reserves were made against my protest, and almost all of them are absolutely useless for the purposes for which they were made.

I have now on my desk an application, made by a citizen in the vicinity of Cripple Creek, for permission to cut dead and dry timber on a forest reserve. The Commissioner of the General Land Office advised that he should be permitted to do so, but when it went to the Secretary of the Interior some clerk—I do not suppose the Secretary of the Interior ever saw it—decided that it should not be done and gave as his reason that the removal of the dead and down timber would injure the snow supply.

Every man who has ever been in a forest knows that a dead tree lying on the ground does not preserve the snow at all. It happens in this case that the streams upon which these men wanted to cut dead timber furnish not a quart of water for irrigating purposes during the irrigating season. There is not any irrigation on them. They are mountain streams that run out of the mountains close to the river, and by the time the irrigation season commences there is no snow at the heads of those streams at all.

Mr. President, we have been pestered and annoyed by these things to such an extent that our people are very much irritated over them. I myself confess to a great deal of irritation. The State of Colorado has passed the severest possible laws against setting out fires or allowing fires to get out in the timber. This provision may not be perfect, but there was no necessity of putting that clause in it at all. It was put in because the Department had been saying to the men there that if they were given permission to graze their cattle there they must do this, and the settlers have agreed to do it.

The Senator from Montana [Mr. CARTER] who introduced this provision knows the condition just as I know it, and I know he will bear me out in saying that no harm can come to the Government or to the timber reserves by letting this provision pass.

Mr. CARTER. Mr. President, in reference to the criticism made by the Senator from Connecticut [Mr. PLATT] on the phraseology of the amendment I can say little, except that the original law authorizing the creation of these forest reserves provided that the Secretary of the Interior might make all needful rules and regulations for the execution of the law and the preservation of the forests. It has been held judicially that the rules and regulations made by the Secretary, not in conflict with the letter or the spirit of the law, had in and of themselves the force of law. The phraseology was interjected into this amendment, requiring the party to use his best endeavors to prevent forest fires, to the end that, in conjunction with existing law or under its authority, the Secretary of the Interior might make a rule whereby any settler who might be injuriously negligent in this behalf might be excluded from the enjoyment of the privileges contemplated by this amendment. In that respect I think the amendment might be improved.

In reference to the general principle of the amendment, Mr. President, little need be said. These forest reservations were very recklessly outlined. The Lewis and Clarke Forest Reservation in the State of Montana is considerably larger than the State of Connecticut, and two of the reservations which lie side by side, but bear different names, are larger than Massachusetts and Connecticut combined. Within the exterior limits of these reserves, which were run in an arbitrary manner, there are villages, mining camps, farmhouses, well-cultivated fields; and settlers have resided there for many, many years. Their children have grown up; they have been educated; they have been married in the little village church near by. They are estopped from accepting further additions to the community; and by some unheard-of logic the law providing that no other settler shall go in, I am unable to see how the children that may be born on these reserves can get homes near by the old homestead.

By a logic, the basis of which I am unable to comprehend, the Interior Department has provided that the people who have resided there for, in some cases, a quarter of a century, who have their homes patented, and hold a fee-simple title to the land, shall not at certain seasons of the year allow the stock they own to graze on the hillsides near by, but must move the stock off to a great distance out on the public domain, because, forsooth, it is assumed that the eating of the grass under the trees will in some way contribute to the spread of forest fires.

This amendment proposes to render impossible the execution of that ridiculous rule. Where the timber is scattered and the growth of grass luxuriant, the grass tends to aid in the spread of the forest fire rather than to repress it. The amendment can not in any manner injuriously affect the growth of timber; it can not injuriously affect the public interest in any other way, and its effect will be merely to nullify a senseless rule made at the behest of certain forest cranks who make rules to govern these reserves, having only in their minds the Mall or the small parks in the city of Washington. Why, Mr. President, one of these reservations within the State of Montana is over 300 miles long and on an average of over 100 miles wide. There are six or eight thousand people residing within the limits of the reservation.

The rules require that these people should take their milch cows and whatever of stock they have and drive them out 100 miles into some open country beyond at a certain specified, arbitrary, and fixed day in the year.

I am astonished that any man who has passed a civil-service examination or has sense enough to keep out of St. Elizabeth's Asylum has assisted in framing such a rule. I am sure that the Secretary of the Interior never saw it and gave his approval only in a pro forma way; yet this rule has existed and annoyed whole communities and has tended to repress the growth of States. I think the amendment is eminently proper; and it is extremely unfortunate that any Department of the Government has rendered such an amendment necessary.

Mr. SHOUP. Mr. President, I want to indorse the statement made by the Senator from Montana [Mr. CARTER]. We have in Idaho several large forest reserves, one of which is known as the Bitter Root and another as the Priest River Reservation. On these reservations there are several hundred people who had located there prior to the time these reservations were set apart. They own ranches and have stock. Their ranches are not very large, it is true, but they have sufficient land under cultivation to raise a sufficient amount of hay to maintain their stock on the reservation during the winter months. I heartily concur in the statement made that it would be a very great hardship to compel the farmers to remove their stock outside of the boundaries of the reservations at certain periods.

In addition to that, hundreds of miners were on these reservations prior to the time they were set apart. They have got mills, machinery, and post-offices, and are in a very prosperous condition. I trust they will be allowed to get the benefit of this amendment.

The PRESIDENT pro tempore. The question is on the amendment as amended.

Mr. ALLISON. Before the amendment is agreed to I wish to amend, at the end of line 7, by inserting "but this privilege shall not be transferable."

Mr. TELLER. There is no objection to that.

The amendment to the amendment was agreed to.

Mr. PETTIGREW. Mr. President, I feel that before this amendment is adopted I ought to call the attention of the committee to the grave dangers which must result, it seems to me, from this legislation.

Forest reserves of vast area—30,000,000 or 40,000,000 acres—have been set apart for the purpose of preserving the forests. In all these reserves there are settlers. As I understand this amendment, the settler has a right to graze that reserve. Suppose a settler takes in the land or takes in the cattle of other people—thousands of them, or perhaps hundreds of thousands of them—it seems to me under this amendment he would have a right to graze that whole reserve, and that we are setting apart really great pastures for a few people who now reside within the area of these reserves to their exclusive use and benefit for all time. I think that the amendment is susceptible of that construction; and it is a very dangerous thing to do.

I know of reservations of 1,000,000 or 2,000,000 acres where perhaps there are 20 or 30 families, and those 20 or 30 families thus become the owners—better than if they were the owners in fee—of the entire reservation. They have no taxes to pay; the Government furnishes its rangers to keep out fires, and those people pasture the cattle of everybody who will come and pay them for taking care of them, or they get a bill of sale, apparently becoming the owners of the cattle, and then graze the entire reservation to the exclusion of everybody else.

Besides that, this amendment provides that live animals may be pastured upon the reservation, and everyone knows that where a reservation is pastured with sheep no new timber will grow.

Not only will they bite off the new trees, but they will trample them under foot, moving in great bands, in compact masses, and those trees which they will not nip off they will cut to pieces with their sharp hoofs. You will destroy every purpose for which the forest reservation law was enacted if you allow the pasturing of sheep within those reservations. Senators may say that a pine tree is a tree which sheep will not eat. That is true, but when the tender pine shoot comes up from the ground the sheep's hoofs will cut it off. Therefore this country will be denuded of its forests.

I hope the committee will find some means to guard against these objections and will frame this amendment so that it can not do harm, so that it can not absolutely ruin and destroy the purpose of the forest reservation law and the forest reservations of the United States. I do not care to discuss the question. I dislike to oppose it, and I am not going to object to the amendment, but I want it framed so as to cover these questions. I believe the forest reservation law was a good one, and that it has been of great advantage to the West, and that we ought to preserve these forests, keep out the fires, and renew the forests as trees are cut down, and they ought not to be made pasturage for a few people.

We had better buy out the rights of those people and pay whatever is necessary to secure a relinquishment of their claims than to enact such legislation as this. There is a reservation in my State, and I would not have that provision extended to my State under any circumstances, and I believe any Senator living in those States where the people want to preserve the forests will find they are justified in getting their State included.

Mr. TELLER. Mr. President, this provision does not give any continuous right. It can be repealed at the next session of Congress. The Senator from South Dakota is imagining some great evil that is going to happen which will never happen. We have not given any rights here to these people except a temporary one, subject to the control of Congress at all times. I know as much about the timber interests and the general interests of my State as the Senator from South Dakota does. He has an entirely different condition in Dakota. He has deciduous forests. We do not have them in Colorado.

I say there is no danger coming to a forest reservation composed entirely of coniferous trees, or anything on it, by the pasture of sheep. To begin with, the sheep, as a rule, do not pasture in the high altitudes. The sheep ranges are in the valleys and the lower country, where the timber does not grow. There is no intention here except to protect the settlers and at the same time protect the timber. The timber is of no commercial value whatever. In a forest reserve which I have particularly in mind—and I hold in my hand a petition of a great number of people who have written to the Department of the Interior to give some attention to their condition, which they never have been able to get—every bit of the commercial timber was cut off years ago.

There is no danger. If the Senator from Iowa desires that the citizen shall not transfer his right, there is no objection to that. These are not the great cattle ranges. It will apply to a few settlers who have perhaps 50 or 75 or 100 head of cattle on a range where practically there is nothing to be done except to raise cattle.

Mr. PETTIGREW. Mr. President, I wish to call attention to an article on this subject, found in the Forum of February, 1901. The article is written by Charles Newhall, superintendent of forest reserves in northern and central California, entitled "Sheep and the forest reserves." He shows the capacity of the sheep in the forests to ruin the forests. Where the sheep are, the shrubs and small trees are stripped of every leaf and tender twig, and no new trees come; that if the pasturage is continued, those forests will not be renewed; and that the trees, as they grow old, rot and fall, and leave the forests without timber, the country totally denuded of that class of vegetation.

Mr. RAWLINS. Will the Senator permit me?

Mr. PETTIGREW. I yield to the Senator from Utah.

Mr. RAWLINS. Under the law as it is now in force and administered in my State, a forest reservation is thronged with sheep. The smaller foliage is all eaten up, trampled down, and destroyed and under the warden who is in charge of it timber is being cut and carried away. In other words, the end for which the forest reservation was created is being defeated. I am in favor of this amendment because, while I am opposed to any person having a monopoly, this will accord to the people who live on the reservation and adjoining it the privilege of grazing their milch cows and a few cattle and horses that they may have upon it.

Mr. KYLE. Will the Senator from South Dakota allow me? Does not this amendment permit anybody, parties who have formerly lived within the boundaries of a reservation but who are now living outside and who may have 50,000 head of cattle to graze them on the reservation free? It applies not only to those who live within the boundaries of a reservation, but to those who have lived inside the reservation and have moved off and now have herds of cattle outside.

Mr. PETTIGREW. I wish to read just an extract from this article by Mr. Newhall:

It is not claimed—

This in answer to the suggestion that the sheep will not eat pines—

It is not claimed that sheep prefer a diet of pine needles, or that they will thrive on it, but when hungry they will take it; and sheep in the mountains often are very hungry. Moreover, and probably worse, what a band of sheep may not care to eat it will trample to death. It is a common saying that "sheep kill more than they eat." Often they will kill more with their hoofs than with their mouths.

A letter from an old sheepman of the southern Sierras tells of a spring, long ago, when he took his sheep to the ranges. He writes:

"I have had experience in the mountains for over twenty years. In 1884 I took my sheep in near some meadows. All around the meadows, that spring, millions of little pine trees from 3 to 8 inches high had sprung up. But when the sheep left the mountains, about the 20th of September, there was not a young tree left. Their sharp hoofs had cut them all off. A horse-rake could have raked up stacks of the little dead trees."

One Sunday I was waiting over at a country tavern. A ranchman of the neighborhood, who proved interesting, lounged up and occupied an end of my bench. He said to me:

"Twenty-two years ago my brother came in on these mountains, and the country was all sheepled off, not a young tree growing. The sheep ate and trampled. Seed would lie till spring, then just as it sprouted and got about an inch high along came the sheep and trampled it to death. Nothing had a chance. My brother got some hogs, bucked against the sheepmen, and kept 'em out, and now the trees are up so thick you can't drive through 'em. Some are 1½ feet through."

One day I overheard this, in substance: "It ain't fair. Cattle are let on the reserves; why not sheep? A steer's heavier 'n a sheep, and its hoofs is bigger 'n a sheep's. If you're going to shut out the herder, shut out the cattle-man, too. I say it's class legislation."

The reply was: "No such thing. You're all off. Bigness isn't the question. The point is, a steer's hoof isn't a chisel, and a sheep's is."

The last man was right. If the sheep would scatter in feeding, as cattle and horses do, it would be another matter; less harm would result. But that is not their way. They go in close bands. One will see 2,000 sheep moving in a compact mass across a meadow. That means a live cutting machine, made up of 8,000 closely placed double chisels, each chisel driven home at every stroke by some hundred pounds weight of live mutton, and with the strokes falling so thickly that not an inch of the ground escapes. No small growth can possibly resist a combined mowing and cutting and pounding like that. Nothing is left alive when the machine has passed. If sheep should eat off the year's growth only, one might claim that they have as good a right to it as any other animal. But they do more; they kill as they go, roots and all. There is no chance whatever of reforesting a sheep-infected range. The seedlings can get no start. In many places the native grasses even are killed out.

(2) But the eating and chiseling do not represent all the harm that is laid to the sheep. Aside from the cutting and killing of living things by this 8,000-footed, machine-like band of sheep, what would one imagine its effect to be on the ground itself? The sheep are a plow to the soil when it is dry. When it is clayey and moist the effect is the opposite, the same as that sometimes produced on a small scale in farm economy, when the farmer, having thrown up an embankment for a proposed reservoir, turns in a band of sheep and herds them there until they have tramped the clay floor into a waterproof, stone-like cement.

Whether the sheep in the reserve plow the soil into dust or stamp it into rock-like cement the natural conditions are changed. Now, what must follow when presently the rains fall or a hot day touches the snowdrifts? The blessed water comes, but what can it do? It can not sink where it falls, drop by drop, into mulched and root-bound, mellow soil.

Old mountaineers will show many a place where just such things as I have described have happened, in their time, from no other cause, it is claimed, but the coming and going of the sheep. One day I stopped to noon at a cabin larger and more comfortable than the average. The old man whose home it was said to me: "I came here thirty-seven years ago. Thinking of what the country was then, it is now like having come out of heaven into purgatory to live here, for the sheep." The Government had been guarding the

region for a year; but it will be many a long year before the country can be what it was when the old man was young.

Then he winds up by saying:

And so it is that on every count the verdict is against sheep.

After going on and reciting the facts, he says:

Is it any wonder that nearly all who know the facts are against them? Is it any wonder that the United States Government has finally taken vigorous action, or that its policy in excluding sheep absolutely from the reserves in the dry and middle belts, and either absolutely or partially in all the other reserves, is deemed a wise policy? Naturally, herders who have used the pasturage unhindered for years are disturbed. It matters nothing to them what the outcome in the future would be, whether the result, here as in other lands, would be desolation and death.

Merchants dependent on the trade of the sheepmen also complain. One of them said to me: "Excluding the sheep means to me a loss in trade of \$2,000 a year." Another said: "I should never have bought this place if I had known that the sheep were to be stopped from passing." In one case a small community was so seriously threatened financially that the State legislature was petitioned to intervene. The complaint was that without the tax per head levied on alien sheep the poor and tiny county—perhaps the poorest and smallest in all the States—would not have sufficient income for its official life, and would immediately become bankrupt.

But the majority, in the sheep districts even, are with the Government. I asked a Congressman for his opinion, and I was surprised at the promptness with which he replied: "Without doubt, the majority are with the Government for the exclusion of the sheep." And what is more, it is encouraging to know that the people are with the Government, not only in this one detail of its dealing with the sheep, but that they are with it heartily in its whole broad policy of advance in the forestry work of its great reserves.

And so on, Mr. President. Mr. Newhall, I think I stated, is the superintendent of forest reservations for northern and central California, and he knows.

Now, in the face of these facts are we going to pass improvident and dangerous legislation, so loosely drawn, as this is, that a man, in my opinion, can take in there from other people just as many cattle as he pleases and just as many sheep as he pleases, and thus have better than a fee to these reservations, and absolutely destroy the forests upon them? I say we had better appropriate money and pay these people and have them leave the reservation. Perhaps it is not true in Colorado. I do not know that the reservations in Colorado have any timber upon them that is worth anything. Then limit this provision to Colorado and to that particular class of people, and not destroy the forest reservations for which we passed the law.

Mr. WARREN. Mr. President, I do not desire to enter into an extended discussion of the forestry question; but as my silence might seem to give assent to what the Senator from South Dakota [Mr. PETTIGREW] has said regarding the effect of sheep pasturing, I wish to enter a total dissent. He has read from the report of one of the many forest supervisors in the United States, and this one takes the view that sheep should be excluded from all the forests. There are other supervisors who take the other view.

Mr. PETTIGREW. Who are they?

Mr. WARREN. I could name them, but it is not necessary to go down the list of supervisors. Officials of several departments who have made special investigations of the subject have reported that, under proper regulations, sheep and other live stock may be grazed upon forest reserves, not only without injury to the forest growth, but, on the contrary, with benefit. The Division of Forestry of the Department of Agriculture, supposed to be opposed to grazing on the forest reserves, does not contend that sheep injure forests of coniferous growth, but that the only injury done by sheep is in young forests in the lower altitudes, where deciduous growth is starting.

The proposed amendment does not apply to the Senator's State. He asks that it shall apply only to those who desire it. I understand that is all that the amendment comprehends. It takes in those States that desire it.

Under existing law the forest reservations, as they are now laid out, are under the absolute charge of the Secretary of the Interior, and, as the Senator knows, he is not a pronounced advocate of sheep grazing on the reserves; and yet he has found it to be to the interest of the Government to issue permits in given sections of certain forest reserves, and sheep are now grazing there.

While some few of these forest reserves contain only forest lands, most of them are great areas of country, squared out, and the boundaries formed by parallels of latitude or by section lines, and embrace broad tracts of grass lands that have never grown timber and never will. On some of these forest reserves a man may ride all day without seeing a tree. There are forests from which sheep should be excluded; there are forests from which cattle and horses should be excluded. This amendment does not propose to interfere with any of these.

I submit, in the first place, that none of the forests in the State which I have the honor in part to represent are of such character that they would be injured by the pasturage of sheep. The forest reserves in that State are composed of over 50 per cent open country, in which no forest has ever grown and none ever will, and it is nonsense to talk about excluding live stock from those parks and open acres, because, forsooth, doctrinaires have proposed it, and because there has been a great country squared off into a forest reserve, embracing open grazing country, as well as ridges covered with trees.

Of one of the reserves in Wyoming—the Big Horn Forest Reserve, which comprises 1,250,000 acres—an expert of the Geological Survey, who made a personal examination of the physical conditions of this reserve with a view to determining whether or not sheep grazing was injurious to the forests it contained, said in his report:

I have been informed that in the regulations governing timber reserves it is the purpose to prohibit the pasturing of sheep because it is believed that they eat off trees just springing up and also gnaw the bark of young trees and kill the growing timber.

I have had excellent opportunity to look into this. I have found sheep in almost every park in the mountains, and I have examined most carefully through the timber surrounding the parks after they had been occupied by sheep in every part of the reserve, and I have been unable to find the least evidence of the correctness of this belief. I have been unable to find so much as a single leaf or twig of a pine or spruce tree, large or small, which has been bitten or touched by them, or the smallest mark or the least abrasion of the bark on any pine or spruce tree of any size, caused by them. Hence, so far at least as this reserve is concerned, I am obliged to testify that this charge against the sheep is not well founded.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The next reserved amendment will be stated.

The SECRETARY. On page 77, line 3, after the word "wells," it is proposed to insert "in arid and semi-arid sections," and after the word "hundred," in line 7, to insert "and fifty;" so as to read:

For gauging the streams and determining the water supply of the United States, and for the investigation of underground currents and artesian wells in arid and semi-arid sections, and the preparation of reports upon the best methods of utilizing the water resources of said sections, \$150,000.

Mr. HANSBROUGH. I gave notice that I would offer an amendment to take the place of the provision just read, and I send the amendment to the desk.

The PRESIDENT pro tempore. The Senator from North Dakota does not offer it to the amendment proposed by the committee?

Mr. HANSBROUGH. I offer it as a substitute for the entire paragraph on page 77.

The PRESIDENT pro tempore. The question first will be on the amendment offered by the committee. If there is no objection, it will be agreed to.

Mr. CARTER. I move to strike out "one" and insert "two" where it says "one hundred and fifty," so as to make the amount "\$250,000."

The PRESIDENT pro tempore. The Senator from Montana offers an amendment, which will be stated.

The SECRETARY. In line 7, strike out the word "one," before the word "hundred," and insert "two," so as to read "\$250,000."

Mr. MONEY. Mr. President—

The PRESIDENT pro tempore. The Senator from Mississippi will pardon the Chair for one moment. The Senator from North Dakota, the Chair understands, moves to strike out the entire paragraph?

Mr. HANSBROUGH. I move to strike out the entire paragraph and to insert the amendment which I send to the desk as a substitute therefor.

The PRESIDENT pro tempore. Then the amendments offered to perfect the clause will take precedence, of course.

Mr. MONEY. I desire to speak to the amendment.

The PRESIDENT pro tempore. The Senator from Montana moves to amend a portion of the matter proposed to be stricken out. The amendment will be stated.

The SECRETARY. In line 7, before the word "hundred," strike out "one" and insert "two," so that it will read "\$250,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Montana.

Mr. ALLISON. I ask that the amendment may be again stated.

The Secretary again stated the amendment.

Mr. ALLISON. I hope if that is done the committee amendment to insert "and fifty" will be rejected. I will not object to increasing the amount to \$200,000, but I object to its going beyond that sum.

The PRESIDENT pro tempore. The Senator from Montana moves to insert "two" in place of "one," in line 7. Without objection, that amendment will be agreed to, and the amendment of the committee proposing to insert the words "and fifty" will be disagreed to. Without objection, it is disagreed to.

Mr. MONEY. Mr. President, I have desired to be heard on the first amendment inserting the words "in arid and semiarid sections." I do not think the amendment made by the committee should stand. I think the text as prepared by the House is what was intended should be the law. This provision for gauging the streams and determining the water supply of the United States meant exactly what it said—for the United States, and not for a part of it, and a very small part of it. It was not only intended to discover underground currents in the arid, but also in the rainy sections of the United States. The provision for gauging the streams and determining the water supply of the United States

can have no relation whatever to the arid or semiarid regions of the country. The intention of that paragraph is to determine the capacity of streams in the rainy sections of the country, not in the arid or semiarid sections, for use in the manufactures of the country.

It is particularly desirable in some of the Southern States, where the efficiency of a stream, its power for mills, is unascertained. I have an instance in mind where a cotton mill was proposed to be erected in the State of Georgia, but because the capacity of the stream upon which it was to be located was unknown and could not be certified to by competent authority the capital that was prepared to invest did not invest. Upon subsequent investigation and test of the stream it was found to be ample. Now, this provision was intended for that purpose as much as anything else. It was not simply to discover the possibilities of underground currents in arid or semiarid regions.

I am very glad the Senator from Montana has made the proposition to increase this by a hundred thousand dollars, because it takes in his country as well as the other. But it was not the original intention to limit it to the arid and semi-arid sections, and it is a total perversion of the whole purpose of this section as it was in the House bill. I will ask the Senator from Iowa, who is in charge of the bill, if he will not accept an amendment striking out these words. They certainly ought not to stand. I think the words "in arid and semi-arid sections" should go out, or instead of that insert, after the words "for the investigation of underground currents and artesian wells in the arid and semi-arid sections," the word "also," or something that will bring them within the intent of the bill.

The experiments in artesian water underground have been carried on to a great extent in my State. A large section of Mississippi has been considered unhealthy because of malaria, and it has been ascertained by experts that the malaria comes through the water more than anything else. They have been experimenting at great length; and I have myself, and am to-day, experimenting in discovering artesian underground currents, and have made two or three or four or five failures, in fact, and am going on with it now. We who have begun this thing, and we did begin it, are not quite satisfied to be left out in our own deal.

I hope the Senator from Iowa will accept this amendment. If he will not do so, I shall move to strike out "in arid and semiarid sections," so that the whole United States will be covered by this survey and this investigation, and one section as well as another will receive the benefit of the money and of the investigation. I want to say that I believe the investigation of the capacity of streams for manufacturing and other purposes and for the discovery of underground currents and artesian wells is just as much needed in the section east of the arid region as in the arid region itself, and more so, because you can not determine the value of streams out there, for they do not amount to anything. The streams are all carried off in ditches for irrigation purposes. Therefore I move to strike out the words "in arid and semiarid sections."

The PRESIDENT pro tempore. The Chair declared the amendment agreed to, but it will hold it to be an open question. The question is on agreeing to that amendment.

Mr. BUTLER. I hope the amendment will be disagreed to.

Mr. ALLISON. Before this amendment is voted on, I desire to say one word respecting it. This is an entire departure from any legislation we have ever had as respects these investigations.

Mr. HANSBROUGH. The Senator from Mississippi has made a motion to strike out certain features of the committee amendment. That is the amendment before the Senate, I understand.

Mr. ALLISON. That is precisely what I am addressing myself to. He proposes, I understand, that the committee amendment, inserting the words "in arid and semiarid sections," shall be rejected. This is a new feature in these provisions relating to the measurement of streams, and I trust that the Senate will not engage now in a scheme of expenditure which will include the measuring of all the streams of all the States in the Union. That is all I have to say about it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee to insert the words "in arid and semiarid sections."

The amendment was agreed to.

The PRESIDENT pro tempore. The Senator from North Dakota [Mr. HANSBROUGH] offers an amendment, which will be stated.

Mr. FORAKER. Before the substitute is considered I desire to move to further amend the paragraph. I understand it is in order to perfect it before the substitute is considered. I move to amend it by inserting in line 4, after the words "United States," the words "including Porto Rico."

Mr. HOAR. On what page?

Mr. FORAKER. On page 77.

The PRESIDENT pro tempore. The Senator from Ohio offers an amendment, which will be stated.

The SECRETARY. On page 77, line 4, after the words "United States," insert "including Porto Rico;" so as to read:

For gauging the streams and determining the water supply of the United States, including Porto Rico, etc.

The amendment was agreed to.

The PRESIDENT pro tempore. Are there further amendments to this paragraph? If not, the amendment offered by the Senator from North Dakota [Mr. HANSBROUGH] to strike out this paragraph and insert what he sends to the desk will be read.

The SECRETARY. It is proposed to strike out the paragraph beginning in line 3, page 57, and to insert in lieu thereof the following:

That all moneys received from the sale and disposal of public lands in the arid and semiarid regions of the United States, beginning with the fiscal year ending June 30, 1901, excepting moneys set aside by law for educational purposes, shall be, and are hereby, reserved, set aside, and appropriated as a special fund in the Treasury, to be known as the "arid land reclamation fund," which fund shall be at the disposal of the Secretary of the Interior for the examination, survey, and construction of reservoirs and other irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands; that until further provided by Congress not to exceed 10 per cent of the said fund shall be available for continuing examinations and surveys and for gauging the streams and determining the water supply of the United States and for the investigation of underground currents and artesian wells in arid and semiarid sections and the preparation of reports upon the best methods of utilizing the water resources of said sections.

Mr. ALLISON. That amendment is in the nature of general legislation, and I make the point of order that it is not permissible upon this bill.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. PETTIGREW. I think the point of order ought to be submitted to the Senate.

Mr. HANSBROUGH. I wish the Chair would withhold the decision for a moment.

The PRESIDENT pro tempore. The Chair will withhold it if the Senator from North Dakota desires to address the Senate.

Mr. HANSBROUGH. Mr. President, this bill is merely in furtherance of all former legislation on the question of irrigation. It simply provides a new method for raising money to pay the expenses of irrigation enterprises. Heretofore we have had legislation and appropriated the money directly out of the Treasury for examinations, surveys, and reports. By the terms of the provision which I have offered we devote the receipts from the sales of the public lands in the arid and semiarid regions of the United States to a special fund, out of which fund the expenses hitherto paid directly from the Treasury shall be paid; and in addition we provide for the construction of reservoirs, so that we may get at something that is practical in the line of irrigation.

Now, Mr. President, I do not believe that the point of order should be made, although having been made, I do not believe that it lies against the proposition, because, as I have said, it is merely in furtherance of the general scheme of irrigation in this country.

Now, Mr. President, what have we been doing in regard to this question in the past ten or a dozen years? We have appropriated directly out of the Treasury of the United States over \$2,000,000, for what purpose? To make examinations, investigations, and reports; but we have not irrigated a single foot of land in the whole country. All the irrigation that has been done in this country up to the present time has been accomplished by private parties, by private corporations, who have been benefited, it is true, to some extent by the surveys that have been made by the United States.

Over \$2,000,000 have been appropriated directly out of the Treasury of the United States for making examinations, surveys, and reports, and here we are now proposing in this bill to appropriate \$200,000 more for the same purpose. In the river and harbor bill, which passed this body yesterday, there is an appropriation of \$180,000 for the same purpose. In the agricultural appropriation bill, which passed only a few days ago, there is an appropriation of \$50,000 for the same purpose. In three of the appropriation bills going through this body this year there are provisions for direct appropriations out of the Treasury of the United States for irrigation purposes. It seems to me that the time has arrived when we should concentrate our efforts in this direction and put the work of irrigation under some one head.

Mr. WARREN. I suggest to my friend the Senator from North Dakota that his allusion to the amount appropriated in the river and harbor bill is not quite in harmony with his general remarks on that subject, because that appropriation is intended to carry out exactly what he has said he wishes to accomplish. This appropriation is to demonstrate the usefulness of the information which we have gathered heretofore and to make a working test; that is to say, to expend the appropriation in constructing something which will carry out the ideas obtained from the information we have heretofore received. So I do not think this particular appropriation should be classed in the category to which he alludes.

Mr. HANSBROUGH. My charge is that there are three provisions in the appropriation bills making appropriations directly out

of the Treasury for irrigation, but my principal objection to the provision in the river and harbor bill to which I have referred—and I ask Senators to examine those provisions—is that we are going further than we have ever gone before in this respect. We are putting this matter in the hands of the War Department now. Heretofore it has been under the jurisdiction of the Interior Department and of the Department of Agriculture, and the Geological Survey has had a great deal to do with it; but now we are extending irrigation to the War Department and calling upon the engineers of that Department to construct and maintain reservoirs for irrigation purposes. We shall have all the Executive Departments under the Government engaged in this business if we keep on. Hence I say it is the duty of Congress to put this subject under one head, to put it in the Interior Department, where all questions pertaining to public lands have hitherto been, and where they ought to be.

Mr. SPOONER. Will the Senator from North Dakota allow me to ask him a question?

Mr. HANSBROUGH. Certainly.

Mr. SPOONER. In all the legislation upon this subject hitherto, has Congress ever made any appropriation for the construction of a work of irrigation or authorized its construction, or has it been confined to investigations?

Mr. HANSBROUGH. It has been confined exclusively to investigations, examinations, and surveys and reports up to the present time, with one exception, I will say to the Senator. We passed the river and harbor bill yesterday, in which it is proposed now that the War Department shall commence the construction of reservoirs.

Mr. SPOONER. I was ill yesterday and was absent most of the time.

Mr. HANSBROUGH. It is in that bill, which is now in conference.

Mr. SPOONER. But the Senator's proposition now is, as I understand it, that the War Department, out of the proceeds of the public lands in the arid and semiarid States, shall construct irrigation works.

Mr. HANSBROUGH. Not at all. The Senator does not quite comprehend my proposition. My proposition is, I will say to the Senator, that all of the receipts from the sales of the public lands in the arid and semiarid regions of the United States shall be put into a fund to be known as the reclamation fund, to be under the control of the Secretary of the Interior, for further continuing examinations, investigations, reports, etc., and for the further purpose of constructing reservoirs, so that we may do something practical. I said a while ago that up to the present time we have not irrigated a single foot of ground in the United States, notwithstanding the fact that we have appropriated \$2,000,000 for investigations.

Mr. SPOONER. Does the Senator's amendment authorize the expenditure of any of this money in the construction of reservoirs without further legislation by Congress?

Mr. HANSBROUGH. I will hand the amendment to the Senator and he may read it. It first creates this fund for the purpose of examinations, surveys, and the construction of reservoirs. It extends the enterprise of irrigating the public lands of the United States now to the practical purpose which we must meet of constructing reservoirs. You can not irrigate if you do not construct reservoirs.

Mr. STEWART. I suggest to the Senator that the Government is already engaged in a good deal of contract work in irrigation for Indians and is constructing ditches, reservoirs, etc., in various parts of the United States furnishing water to enable Indians to cultivate their lands.

Mr. HANSBROUGH. That is true with respect to two or three Indian reservations, I believe, but not on any great scale.

Mr. STEWART. It is not done on any great scale.

Mr. HANSBROUGH. My amendment contemplates the use of all the available waters in the arid and semiarid regions of the United States and their devotion to the purposes of irrigation, so that we may reclaim the 75,000,000 acres of arid lands in this country and turn it to some purpose and put population there, and thus enrich the country.

Mr. SPOONER. If I understand the Senator's amendment as I read it, it segregates from the proceeds of the public lands in arid and semiarid States an arid land reclamation fund, and authorizes the use of that fund for the purposes of investigation.

Mr. HANSBROUGH. Yes; for further investigation and the construction of reservoirs; not for irrigating.

Mr. SPOONER. I do not understand that it authorizes the construction of reservoirs.

Mr. TELLER. In line 9.

Mr. HANSBROUGH. Yes; it authorizes construction.

Mr. SPOONER. Yes; the construction of reservoirs and other irrigation works.

Mr. HANSBROUGH. "For the storage, diversion, and development of waters."

Mr. SPOONER. Then, the Senator's purpose is that the cost of the construction of reservoirs and the irrigation ditches and irrigation works generally shall be paid out of this fund by the United States?

Mr. HANSBROUGH. By the United States.

Mr. SPOONER. Contracts are to be made by the United States?

Mr. HANSBROUGH. By the United States.

Mr. McCUMBER rose.

Mr. HANSBROUGH. But, Mr. President, I draw the line at this point. When it comes to the distribution of the waters which are gathered in the reservoirs which we propose to construct, that is a matter which belongs to the several States in which the reservoirs may be located. I will hear my colleague.

Mr. McCUMBER. It strikes me that there is one objection to this amendment as it stands, unless the Senator will consent to an amendment.

The PRESIDING OFFICER (Mr. ALDRICH in the chair). The Chair will suggest to the Senator from North Dakota that the question now pending is on the point of order.

Mr. McCUMBER. I understand the Chair. I also understand that has not scarcely been argued so far in this debate; and inasmuch as it has not, I would like briefly to suggest a matter to my colleague. I suppose that the Senator from North Dakota will admit that all lands in the State of North Dakota are really part and parcel of its territory, and to a certain extent belong to the State of North Dakota; that the lands in the State of Colorado are a part of the domain of Colorado; that while the Government may hold the title in fee to those lands, the State certainly has a residuary interest in them, and such an interest that it would be affected seriously by the turning of the lands over to the Government, the proceeds to be used in any other State than the State in which the land is situated.

It does not seem to me to be either just or proper that we should take the arid lands in the State of Colorado and sell them, and out of the proceeds of those sales construct reservoirs in Wyoming, or some other State or Territory; and it does seem to me, if this should become a law, it ought to provide that the proceeds of the sales of any of the arid lands should be used exclusively in the State in which the sales are made. I hope that the Senator will agree to that in case he desires to press this amendment.

Mr. HANSBROUGH. My colleague, I believe, is entirely mistaken in his reading of the proposed amendment. We do not propose to sell the public lands for the benefit of anyone except settlers. We propose, as Senators will understand thoroughly, when we build reservoirs and make it possible to put water upon the lands, that the lands shall be taken up under the homestead law, and they will thus become the property of settlers, and not the property of any State or any individual. They are not to be sold for the purpose of irrigation.

Mr. McCUMBER. If my colleague will allow me a moment, I agree with him entirely in that, but the point that I desire to make is that the proceeds of the land in the State, when it is sold either to actual settlers or to others, ought to be used in the State from which the proceeds are derived.

Mr. HANSBROUGH. That is a matter that will be entirely in the hands of Congress hereafter. We could legislate as to that not at this session, but at the next session. All I desire to do now is to establish the principle that the proceeds from the sales of public lands should go to the improvement of the public lands.

I want to go a step further in the line of irrigation. I want now to do something practical. I want to stop appropriating money out of the Treasury of the United States merely to make examinations, reports, and investigations and surveys. I want now to build some reservoirs and to put water upon the land and put the people upon the land to cultivate it. That is the object now. As to the details of this proposition Congress can legislate hereafter. That is my proposition.

Mr. President, I have incorporated in the proposed substitute the very language which has come out of the Committee on Appropriations and as it is now in the bill, so as to provide that 10 per cent of the amount of money put into this proposed fund shall be devoted to further examinations, surveys, and reports, and thus continue the great scheme of irrigation that we commenced some years ago.

Mr. WARREN. Mr. President, I favor absolutely the main idea, the central figure, if you please, of the amendment as offered. I do not agree with the contention that money expended through other Departments is money thrown away. I do not agree with the proposition that if reservoirs are what we want it is impossible to construct them under the War Department.

The plans for reservoir construction made by the War Department, and the estimates and figures for such construction, are complete, practical, and up to date.

At a former time we appropriated \$5,000 in the river and harbor bill for the examination of sites and report upon the practicability and desirability of constructing reservoirs and other hydraulic works necessary for the storage of water, and I hold in

my hands, as one of the results, a copy of the report made by the engineer officer of the War Department, Capt. H. M. Chittenden, who conducted the examination.

I want to say, without reflecting upon any other Department, without reflecting upon the Agricultural Department or the Interior Department, that there is ten times as much information in this report on the one subject of reservoir construction for irrigation purposes than has ever been produced by the expenditure of a like amount of money through any other Department. This is because the Engineer Corps of the War Department is equipped with the necessary apparatus, implements, and engineering instruments for making such investigations.

It has the men, trained in engineering work, prepared to make complete and accurate estimates. The Interior Department is equipped to examine and report upon physical conditions of the public lands, the Agricultural Department upon the producing qualities of the soil; and both are valuable factors in the general good sought to be secured for the West and the country generally, but neither of these Departments is at present as well prepared to plan or construct the reservoirs and other hydraulic works as is the War Department.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. The Chair dislikes to interfere with the course of the debate, but the Chair will suggest to Senators that the question is on the point of order and not upon the merits of the amendment.

Mr. PETTIGREW. It is customary in the Senate, I think, to discuss the merits of a question in discussing a point of order, and I believe I have seen the Chair himself indulge in that practice.

Mr. President, it seems to me that something ought to be done, and done at once, by the Government with regard to our arid lands. The Government of the United States owns, west of the Mississippi River, 600,000,000 acres of land in the semiarid region. There is water enough in that country to reclaim 100,000,000 acres of this land. The question which confronts the Government today is this: Shall we sit idle until private parties control all the water? If we do, then they will control all that vast area of 600,000,000 acres of land, and they will control it, without owning it, as absolutely as though they had a deed. The Government can own it. No taxes will be paid upon it, and the people who own the water—the great corporations—if we go on as we are going now, will own the water, and then they will command not only the land that can be watered, but the land that can not. They can graze the great area of the Government land between the water reservoirs and the streams, and thereby own the entire country.

Therefore steps ought to be taken at once to preserve the water for the people, so that small homes can occupy the cultivable areas, so that homes of 40 and 80 acres can be scattered over that vast region rather than have it monopolized by a few great corporations. Homes for 25,000,000 people can be secured in the arid regions of the United States in addition to the population already there if the Government will take steps to reserve the reservoir sites and reserve the water from private appropriation. We have waited too long already, and there is no more time to wait if you would preserve this vast property for the people of the United States.

More people of our race could find homes in that country by the expenditure of half the money we have spent on it already in trying to force, 10,000,000 of the Asiatics to come under our dominion, people of our race, who would inhabit the region west of the Missouri River, consume our products, and make a market for the manufacturers of the East and business for the railroads of the country.

We have tried for years to secure an appropriation for this purpose directly out of the Treasury, and although the Senate has always favored it and we have passed appropriation after appropriation, the other House has always refused. I will give the reason. Every State has two Senators, but the apportionment of Representatives is according to population, and while Idaho is as strong in the Senate as New York, in the other House Idaho has one Representative and New York has thirty-six. The consequence is that through want of knowledge of this great question and its great importance, the other body has always refused to make an appropriation directly out of the Treasury to carry on this work.

Now, we propose that the region itself shall furnish the money, that the proceeds from the sale of the public lands in the arid and semiarid land States shall be devoted to the reclamation of the desert lands of those States. What can be more reasonable and more proper, and what thing can be done that will more conserve the interests of the whole Government, as well as the region in which the lands are located? Why should we not do this, then? Can any argument of force be presented against it when the advantages are so great, the purpose to be accomplished so important?

Mr. President, I think this amendment ought to be adopted. I

think if the Chair proposes to rule it out of order he should submit the question to the Senate itself and let it be passed upon on its merits.

The purpose of the bill which the Committee on Public Lands reported to this body was to reserve all the lands that could be irrigated and to allow them to be occupied by homesteaders in tracts not exceeding 80 acres. The detail of that plan is not in this amendment, but the provision allowing the Secretary of the Interior to make rules and regulations to carry it into effect will give him the opportunity to make the provisions to withdraw the land and to accomplish the purpose. Future Congresses can also enlarge the scope of the law and thus accomplish the purpose in that way.

It seems to me that if the people of the East understood this question, if they knew the conditions existing in the Western country, they would be as anxious as we are to secure this legislation. They are seeking markets for their goods; they are looking out across the sea. A market for their goods, a market of a people of a kindred race, a market better, richer than they can secure anywhere in the world, can be made by the passage of this amendment.

I know of no reason, I have heard of no reason given by anybody in these debates, why this should not be done. It seems to me hardly necessary to talk to the Senate in view of the fact that the Senate has gone on record year after year for the last ten years in favor of doing this work, not exactly in this way, but by direct appropriation.

Therefore I hope the chairman of the Committee on Appropriations will accept this amendment and let us try again to see if the House will not accept this alternative proposition. Before, we have asked for money direct from the Treasury. Now we ask that the proceeds of the sales of the lands themselves shall be devoted for this purpose. The sales will increase as the water is conserved, reservoirs built, and the land reclaimed, for as fast as we reclaim the land homesteaders will occupy it, and of course we will charge a price equal to the cost of covering it with water; and hence new funds will be furnished to go on with the work and reclaim the rest of the areas that can be reclaimed.

Mr. CARTER. Mr. President, I wish to address myself to the merits of this proposition only in case the Chair holds the amendment to be in order. The question is one of great national importance. Nearly two-fifths of the continent is involved in the proper solution of this great question of irrigation and the conservation of the waters for that purpose. I do not wish, however, to consume the time of the Senate before the ruling of the Chair on the question of order.

Mr. ALLISON. Mr. President, I desire to say only one word upon this question. Of course, I understand that the Chair can only rule one way as respects this amendment.

I want to say in reply to the suggestion of the Senator from South Dakota [Mr. PETTIGREW], that I should withdraw the point of order in order that the amendment may become a part of the bill, that this question is not a new question. It is a question which has been before the two Houses for a great many years. It is a question which is under the special jurisdiction of the Committee on Public Lands of this body, of which the Senator from North Dakota [Mr. HANSBROUGH] is chairman. That committee has not brought into this Chamber, so far as I know, any proposition in regard to this subject except one which was introduced by the Senator from North Dakota on the 31st day of January of this year and reported back on the 3d day of February, and which has not been considered in this Chamber.

Mr. HANSBROUGH. Will the Senator allow me a moment?

Mr. ALLISON. Certainly.

Mr. HANSBROUGH. The Committee on Public Lands has reported unanimously twice at this session in favor of this proposition.

Mr. ALLISON. Very well; then I stand corrected as respects that matter.

Mr. HANSBROUGH. Not only that, but, if the Senator will excuse me, I understand the Committee on Irrigation and Reclamation of Arid Lands of this body, although they have not made any report, are unanimously in favor of it. The Secretary of the Interior has reported upon it favorably. The Commissioner of the General Land Office is in favor of it. The Director of the Geological Survey is in favor of it. There is no opposition to it anywhere except as developed in this point of order.

Mr. ALLISON. I shall probably be willing to vote with the Senator from North Dakota and other Senators here for a judicious and carefully prepared provision for the purpose of dealing with the question of the irrigation of the arid and semiarid lands, but I protest against allowing a proposition of this character to be placed on an appropriation bill within certainly forty hours of the adjournment of this Congress.

The point of order is made for the purpose of protecting these appropriations from legislation which is under the control of the committees of this body, and which they have had nearly two years to dispose of, coming in now at this late hour without any

careful consideration. This amendment is not an amendment proposed by any committee of the body. It is the amendment of the Senator from North Dakota to take the place of a long amendment which was submitted a week ago to the Committee on Appropriations, embracing legislation—

Mr. HANSBROUGH. It is word for word the same. It contains the principle and very essence of the bill, and it is word for word with the measure that was before that committee and reported favorably on two occasions.

Mr. ALLISON. Mr. President, I make a point of order in good faith, because we have not the time to give this subject consideration on this appropriation bill.

Mr. GALLINGER. Mr. President, a single word on the point of order.

After what has happened during this session in the matter of general legislation on appropriation bills, and in view of some of the discussions and decisions which have been reached in this body, I am not very strongly impressed with the point of order that this is general legislation.

I note with interest the suggestion made by the Senator from Iowa [Mr. ALLISON], the chairman of this great Committee on Appropriations, that the Chair can decide this matter in only one way. Mr. President, there are two ways in which the Chair can decide this matter; and as an Eastern man, an Eastern Senator, who believes that something ought to be done in the way of irrigation of the arid and semiarid regions of this great country, I trust the Chair will see his way clear to take the second way, which he will find in paragraph 2 of Rule XX, which says:

The Presiding Officer may submit any question of order for the decision of the Senate.

That is the fair way to do in matters where any doubt whatever exists, and it is the way that is frequently done in this body when a great question of this kind is under consideration and when there is a division of opinion in the body.

Mr. President, that is all I care to say about the subject. I am not going to discuss the merits of the proposition. If I should say anything on that point I should say that I believe this amendment ought to be incorporated into law; but I simply rose for the purpose of appealing to the Presiding Officer that he submit this matter to the Senate, and do it under the terms of paragraph 2 of Rule XX, which gives him that right.

Mr. HANSBROUGH. Mr. President, I want to say only a word in regard to this point of order, and on the question of general legislation.

I want to call the attention of the Senate to the extreme hardship which the representatives of the Western States have been under in securing legislation. I came to this body ten years ago. I have never been able to secure a single piece of important legislation for my portion of the country or any portion of it, on its own merits, in this body, because of the fact that we have not the time to consider it. I have only been able to get legislation for my little State of North Dakota by putting things of this character upon the appropriation bills. I am glad to say I have had several propositions inserted in such bills, against which the point of order has been raised.

When I was a member of the other House twelve years ago, and North Dakota had but one Representative in that body, I secured by unanimous consent the passage of a few bills. At the present time the Representative from North Dakota has been able to secure but two unanimous consents during this session. It is absolutely necessary for the new States throughout the West to put their measures upon the appropriation bills in order to secure their enactment into law. I point to this fact to show you the hardships under which we labor when we secure legislation of any character. I think the Senate ought to consider these facts when they pass upon the point of order which has been raised by the Senator from Iowa.

The PRESIDING OFFICER. The Chair feels constrained to sustain the point of order made by the Senator from Iowa [Mr. ALLISON]. The amendment is clearly obnoxious to the first part of clause 3 of Rule XVI. The present occupant of the chair, however, has no pride of opinion on the subject, and the Senator from North Dakota [Mr. HANSBROUGH] has his remedy. The Chair certainly would not feel hurt if the Senate should otherwise decide.

Mr. HANSBROUGH. I would not wound the feelings of the Chair for anything in this world, but I shall appeal from the decision of the Chair.

The PRESIDING OFFICER. The Senator from North Dakota appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The Chair is in doubt.

Mr. HANSBROUGH, Mr. STEWART, and others called for the yeas and nays.

The yeas and nays were ordered.

Mr. PETTUS. I ask that the amendment be read on which we are to decide.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 77 strike out all of the paragraph beginning in line 3 and insert the following:

That all moneys received from the sale and disposal of public lands in the arid and semiarid regions of the United States, beginning with the fiscal year ending June 30, 1901, excepting moneys set aside by law for educational purposes, shall be, and are hereby, reserved, set aside, and appropriated as a special fund in the Treasury, to be known as the "arid land reclamation fund," which fund shall be at the disposal of the Secretary of the Interior for the examination, survey, and construction of reservoirs and other irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands; that until further provided by Congress not to exceed 10 per cent of the said fund shall be available for continuing examinations and surveys and for gauging the streams and determining the water supply of the United States and for the investigation of underground currents and artesian wells in arid and semiarid sections and the preparation of reports upon the best methods of utilizing the water resources of said sections.

The PRESIDING OFFICER. The question before the Senate is, Shall the decision of the Chair stand as the judgment of the Senate? upon which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I have a general pair with the Senator from Michigan [Mr. BURROWS]. In his absence, I withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. McLAURIN], but I feel at liberty to vote upon this proposition. I vote "nay."

Mr. QUARLES (when his name was called). I have a general pair with the junior Senator from Texas [Mr. CULBERSON]. As he is not present, I withhold my vote.

Mr. SULLIVAN (when his name was called). I have a pair with the Senator from Illinois [Mr. MASON]. As he is not in the Chamber, I withhold my vote.

Mr. WARREN (when his name was called). I have a general pair with the Senator from Washington [Mr. TURNER]. I do not see him in the Chamber, and so I withhold my vote.

The roll call was concluded.

Mr. CLARK (after having voted in the negative). I wish to inquire if the Senator from Kansas [Mr. HARRIS], with whom I am paired, has voted.

The PRESIDING OFFICER. The Chair is informed that the Senator from Kansas has not voted.

Mr. CLARK. Then I withdraw my vote.

Mr. PENROSE. I have a general pair with the Senator from Delaware [Mr. KENNEY]; but I transfer that pair to my colleague from Pennsylvania [Mr. QUAY], and vote "nay."

The PRESIDING OFFICER. The Senator from Alabama [Mr. MORGAN] has already given notice of a pair with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. PENROSE. I will vote under any circumstances, Mr. President, on this question. I vote "nay."

Mr. BATE. I beg to state that my colleague [Mr. TURLEY] is not present to-day. He is paired, however, with the Senator from Wisconsin [Mr. SPOONER].

Mr. MONEY. I am paired with the senior Senator from Oregon [Mr. McBRIDE], who is absent, and therefore I withhold my vote.

Mr. HEITFELD. I wish to announce that the Senator from Washington [Mr. TURNER], who is unavoidably absent, if present would vote "nay."

Mr. WARREN. Upon the statement made by the Senator from Idaho [Mr. HEITFELD] that the Senator from Washington [Mr. TURNER], if present would vote "nay," I feel at liberty to vote, and I vote "nay."

Mr. CULLOM. I inquire if the junior Senator from Virginia [Mr. MARTIN] has voted?

The PRESIDING OFFICER. The Chair is informed that the Senator from Virginia has not voted.

Mr. CULLOM. I have a pair with that Senator, and therefore withhold my vote.

Mr. CLAY (after having voted in the affirmative). I have been asked to pair with the senior Senator from Washington [Mr. TURNER] on this question. I have been informed that the Senator from Washington, if present, would vote "nay." I withdraw my vote.

Mr. SPOONER. I have a pair with the Senator from Tennessee [Mr. TURLEY]. He is absent from the Chamber, and I am informed will not return during this session. I am therefore not at liberty to vote. If I were at liberty to vote, I should vote to sustain the ruling of the Chair.

The result was announced—yeas 34, nays 20; as follows:

YEAS—34.

Aldrich,	Foraker,	Lodge,	Proctor,
Allison,	Frye,	McComas,	Rawlins,
Bard,	Gallinger,	McEnery,	Scott,
Bate,	Hale,	McMillan,	Sewell,
Chilton,	Hanna,	Mallory,	Taft,
Depew,	Hawley,	Neison,	Tillman,
Dillingham,	Kean,	Perkins,	Wetmore,
Dolliver,	Kyle,	Pettus,	
Fairbanks,	Lindsay,	Platt, Conn.	

NAYS—20.

Bacon,	Heitfeld,	Platt, N. Y.	Thurston,
Butler,	Kearns,	Pritchard,	Vest,
Carter,	McCumber,	Shoup,	Warren,
Chandler,	Penrose,	Stewart,	Wellington,
Hansbrough,	Pettigrew,	Teller,	Wolcott,

NOT VOTING—34.

Allen,	Cockrell,	Jones, Ark.	Quarles,
Baker,	Culberson,	Jones, Nev.	Quay,
Berry,	Cullom,	Kenney,	Simon,
Beveridge,	Daniel,	McBride,	Spooner,
Burrows,	Deboe,	McLaurin,	Sullivan,
Caffery,	Eikins,	Martin,	Turley,
Clapp,	Foster,	Mason,	Turner,
Clark,	Harris,	Money,	
Clay,	Hoar,	Morgan,	

So the Senate sustained the decision of the Chair.

The PRESIDING OFFICER. There are some further committee amendments which were passed over, which, under the order of the Senate, will be first considered.

Mr. THURSTON. I ask the Senator in charge of the bill to let me submit a conference report on the Indian appropriation bill, which I think will take but a moment.

Mr. ALLISON. I yield for that purpose.

INDIAN APPROPRIATION BILL.

Mr. THURSTON. I submit the report of the committee of conference on the Indian appropriation bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12904) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 51 and 52.

That the House recede from its disagreement to the amendments of the Senate numbered 45 and 56; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: After the word "payments," in line 18 of said amendment, insert: "gratuities;" at the end of said amendment, after the word "passed," in line 20, add the following: "Proceedings shall be commenced by petition verified by the attorney for said Indians who may appear for and on their behalf, and said case shall have preference and be advanced on the docket of said court; and if said court shall find that said bands preserved their loyalty to the United States they shall ascertain and state the amount that would be due to said Indians on account of said annuities had said act of Congress of February 16, 1863, not been passed, stating in connection therewith what credits should be charged against said annuities on account of the lands, appropriations, payments, gratuities, or other provisions, as hereinbefore stated;" and the Senate agree to the same.

JOHN M. THURSTON,
O. H. PLATT,
R. F. PETTIGREW,
Managers on the part of the Senate.
J. S. SHERMAN,
CHARLES CURTIS,
JOHN S. LITTLE,
Managers on the part of the House.

The report was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14018) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WOLCOTT. I desire to offer an amendment to the pending bill.

Mr. ALLISON. I hope the Senator will allow the committee amendments to be first acted on.

The PRESIDENT pro tempore. There are three more committee amendments.

Mr. WOLCOTT. I understood there was but one, and that that had been agreed to.

The PRESIDENT pro tempore. No; there are three. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over was on page 77, line 10, after the word "been," to strike out "or may hereafter be;" so as to make the clause read:

For continuation of the survey of the public lands that have been designated as forest reserves, \$130,000, to be immediately available.

The PRESIDENT pro tempore. The question is on the amendment.

The amendment was agreed to.

Mr. ALLISON. On page 76, line 1, I move to strike out the word "forty" and insert "sixty."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 76, line 1, it is proposed to strike out "forty" and insert "sixty;" so as to make the total "\$260,000."

The amendment was agreed to.

Mr. ALLISON. On page 83, after line 3, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 83, after line 3, it is proposed to insert: Education in Alaska: For the industrial and elementary education of children in Alaska, without reference to race, \$30,000.

The amendment was agreed to.

Mr. ALLISON. On page 81 there was a committee amendment passed over.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 81, after the word "available," in line 15, the committee propose to insert:

Provided, That the Secretary of the Interior is hereby authorized and directed to exchange a tract of land containing 60 acres, more or less, east of Nichols avenue and south of Congress Heights, for 60 acres, more or less, adjoining the grounds of the Government Hospital for the Insane on the south, to be selected by said Secretary, the exchange to be made acre for acre.

Mr. LODGE. I asked that that amendment be passed over yesterday, but I am satisfied that is the best arrangement that can be made, and I have no objection to it.

The PRESIDENT pro tempore. Without objection, the amendment will be considered as agreed to. It is agreed to. Are all of the committee amendments disposed of?

Mr. ALLISON. No; there is still one more committee amendment relating to the Pan-American Exposition at Buffalo, on page 150.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 150, beginning in line 1, it is proposed to insert—

Mr. BUTLER. If the Secretary will postpone reading for one moment, I rose to the amendment just adopted, but the Chair failed to recognize me and declared it carried. I refer to the amendment on page 81.

The PRESIDENT pro tempore. What is the Senator's request?

Mr. BUTLER. I wish to submit an amendment to that amendment.

The PRESIDENT pro tempore. The Chair will recognize it as an open question.

Mr. BUTLER. I ask the chairman of the committee in charge of the bill to accept the additional amendment which I send to the desk and ask to have read.

The PRESIDENT pro tempore. The amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. It is proposed to amend the amendment on page 81, at the end of line 23, by adding the following after the word "acre."

And it is furthermore provided, That a roadway 90 feet wide be reserved out of and on the south side of the land so acquired as a public highway from Nichols avenue to the river.

Mr. BUTLER. That refers to Congress Heights. The people there will be bottled up if this land is to be purchased.

Mr. ALLISON. The land is not to be purchased; it is to be exchanged. I will say to the Senator that I will not object to his inserting the amendment, so that it may be investigated afterwards by the conference committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WOLCOTT. I desire to offer the amendment which I send to the desk.

Mr. COCKRELL. Let us first dispose of the pending amendment.

Mr. WOLCOTT. The amendments of the committee are disposed of, as I understood.

Mr. COCKRELL. Not at all.

The PRESIDENT pro tempore. There is one more committee amendment which has not been disposed of.

Mr. WOLCOTT. There is always one more.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Beginning at the top of page 150, it is proposed to insert:

PAN-AMERICAN EXPOSITION, BUFFALO, N. Y.

For the benefit and to the use of the Pan-American Exposition to be held at Buffalo, in the State of New York, from May 1, 1901, to November 1, 1901, \$500,000, to be immediately available, said sum to be paid to and be disbursed by the Pan-American Exposition Company under rules and regulations and under conditions to be prescribed by the Secretary of the Treasury: *Provided, however, That in the distribution of any moneys that may remain in the treasury of the said Pan-American Exposition Company after the payment of its debts the aforesaid sum so appropriated shall be repaid in full into the Treasury of the United States before any dividend, return, or distribution shall be made to the holders of the capital stock of said corporation: And provided also, That the United States shall not in any circumstances be liable for any debt or obligation of the said corporation or for any payment in addition to the foregoing sum. That as a condition precedent to the payment of this appropriation the Pan-American Exposition Company shall contract to close the gates to visitors on Sundays during the whole duration of the fair.*

Mr. COCKRELL. Mr. President, I offer as an amendment, to come in after the word "fair," on page 150, line 23, what I send to the desk, headed "Louisiana Purchase Exposition."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 150, line 23, after the word "fair," it is proposed to amend the amendment of the Committee on Appropriations by adding:

LOUISIANA PURCHASE EXPOSITION COMMISSION.

That an exhibit of arts, industries, manufactures, and products of the soil, mine, forest, and sea shall be inaugurated in the year 1903, in the city of St. Louis, in the State of Missouri, as herein provided.

That a nonpartisan commission is hereby constituted, to consist of nine commissioners, to be known and designated as the "Louisiana Purchase Exposition Commission," who shall be appointed, within thirty days from the passage of this act, by the President of the United States, and who shall also be subject to removal by him. Vacancies in said commission to be filled in the same manner as original appointments.

That the commissioners so appointed shall be called together by the Secretary of State of the United States, in the city of St. Louis, by notice to the commissioners, as soon as convenient after the appointment of said commissioners, and within thirty days thereafter. The said commissioners, at said first meeting, shall organize by the election of their officers, and they may then or thereafter appoint such executive or other committees as may be deemed expedient, and a secretary at a salary of \$3,000 per annum; that in addition to the salary of the secretary of said commission there is hereby allowed, out of any money appropriated to aid in carrying forward said exposition, the sum of \$10,000 per annum, or so much thereof as may be necessary, for the purpose of defraying the clerical, office, and other necessary expenses of said commission.

That said commission, when fully organized under the provisions of this act, shall appoint two of their number to act in conjunction with a like number appointed by the Louisiana Purchase Exposition Company to constitute a board of arbitration, to whom all matters of difference arising between said commission and said company concerning the administration, management, or general supervision of said exposition, including all matters of difference arising out of the power given by this act to the said company or to the said national commission to modify or approve any act of the other of the two bodies, shall be referred for determination; and in the case of the failure of said board of arbitration to agree upon such matters as may be so referred, said board of arbitration shall appoint a fifth member thereof; and in case of the failure of the said board to agree upon a fifth member, such fifth member shall then be appointed by the Secretary of the Treasury. And the decision of said board shall be final in all matters presented to it for consideration and determination.

That said commission be empowered, in its discretion, to accept, for the purposes of the exposition herein authorized, such site as may be selected and offered, and such plans and specifications of buildings for such purpose at the expense of and tendered by the corporation organized under the laws of the State of Missouri, known as "The Louisiana Purchase Exposition Company."

That the allotment of space for exhibitors, classification of exhibits, plan and scope of the exposition, the appointment of all judges and examiners for the exposition, and the awarding of premiums, if any, shall all be done and performed by the said Louisiana Purchase Exposition Company, subject, however, to the approval of the commission created by section 2 of this act; and said commission is hereby authorized to appoint a board of lady managers, of such number and to perform such duties as may be prescribed by said commission, subject, however, to the approval of said company. Said board of lady managers may, in the discretion of said commission and corporation, appoint one member of all committees authorized to award prizes for such exhibits as may have been produced in whole or in part by female labor.

That after the plans for said exposition shall be prepared by said company and approved by said commission the rules and regulations of said corporation governing rates for entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors, or of the public, shall be fixed or established by said company, subject, however, to the modification or approval of said commission.

That said commission shall provide for the dedication of the buildings of the Louisiana Purchase Exposition, in said city of St. Louis, not later than the 30th day of April, 1903, with appropriate ceremonies, and thereafter said exposition shall be opened to visitors at such time as may be designated by said company, subject to the approval of said commission, not later than the 1st day of May, 1903, and shall be closed at such time as the national commission may determine, subject to the approval of said company, but not later than the 1st day of December thereafter.

That whenever the President of the United States shall be notified by the national commission that provision has been made for grounds and buildings for the uses herein provided for, he shall be authorized to make proclamation of the same, through the Department of State, setting forth the time at which said exposition will be held, and the purpose thereof; and he shall communicate to the diplomatic representatives of foreign nations copies thereof, together with such regulations as may be adopted by the commission, for publication in their respective countries; and he shall, in behalf of the Government and the people, invite foreign nations to take part in the said exposition and to appoint representatives thereto.

That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition, upon which there shall be a tariff or customs duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell, for delivery at the close thereof, any goods or property imported for and actually on exhibition in the exposition buildings or on the grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against such articles and against the person who may be guilty of any illegal sale or withdrawal.*

That it shall be the duty of the national commission to make reports monthly to the President of the United States, showing receipts and disbursements and giving a general summary of the financial condition of said exposition, and a final report within six months after the close of the exposition, presenting the results and a full exhibit thereof.

That the national commission hereby authorized shall cease to exist on the 1st day of January, 1905.

That the United States shall not in any manner nor under any circumstances be liable for any of the acts, doings, proceedings, or representations of the said Louisiana Purchase Exposition Company, its officers, agents, or employees, or any of them, or for the service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any certificates of stock, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind whatever attending such corporation or accruing by reason of the same.

That there shall be exhibited at said exposition by the Government of the United States from its Executive Departments, the Smithsonian Institution, the National Museum, the United States Commission of Fish and Fisheries, and the Department of Labor such articles and material as illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to the wants of the people; and the Bureau of the American Republics is hereby invited to make an exhibit illustrating the resources and international relations of the American Republics, and space in the United States Government building shall be provided for the purpose of said exhibit; and to secure a complete and harmonious arrangement of

such Government exhibit a board, to be known as the United States Government board, shall be created, independent of the commission hereinbefore provided, to be charged with the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles and material as the heads of the several Executive Departments, the Secretary of the Smithsonian Institution, the Commissioner of Fish and Fisheries, the Commissioner of Labor, and the Director of the Bureau of the American Republics may, respectively, decide shall be embraced in said Government exhibit.

The President may also designate additional articles for exhibition. Such board shall be composed of one person to be named by the head of each Executive Department, one by the Secretary of the Smithsonian Institution, one by the Commissioner of Fish and Fisheries, one by the Commissioner of Labor, and one by the Director of the Bureau of American Republics. The President shall name one of said persons so detailed as chairman, and the board itself shall appoint its secretary, disbursing officer, and such other officers as it may deem necessary. The members of said board of management, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board.

Officers of the Army and Navy shall receive this allowance in lieu of the transportation and mileage now allowed by law. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with the said Louisiana Purchase Exposition. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine. The disbursing officer shall give bond in the sum of \$30,000 for the faithful performance of his duties, said bond to be approved by the Secretary of the Treasury. The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money from the appropriation hereafter to be made for the Government exhibit, not exceeding at any one time the penalty of his bond, to enable him to pay the expenses of exhibit as authorized by the board of management herein created.

That the Secretary of the Treasury is hereby authorized and directed to place on exhibition, in connection with the exhibit of his Department, upon such grounds as shall be allotted for the purpose, one of the life-saving stations authorized to be constructed on the coast of the United States by existing law, and to cause the same to be fully equipped with all apparatus, furniture, and appliances now in use in all life-saving stations in the United States.

That the Secretary of the Treasury shall cause a suitable building or buildings to be erected on the site selected for the Louisiana Purchase Exposition for the Government exhibits, as provided in this act, and he is hereby authorized and directed to contract therefor in the same manner and under the same regulations as for other public buildings of the United States; but the contracts for said building or buildings shall not exceed the sum of \$250,000, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expense of erecting said Government building or buildings hereby authorized. The Secretary of the Treasury shall cause the said building or buildings to be constructed from plans to be approved by said Government board; and he is authorized and required to dispose of such building or buildings, or the material composing the same, at the close of the exposition, giving preference to the city of St. Louis or to the said Louisiana Purchase Exposition Company to purchase the same at an appraised value, to be ascertained in such manner as he may determine.

That the commissioners appointed by the President under the authority of this act shall receive as compensation for their services and expenses the sum of \$5,000 each per annum, the same to be paid by the Secretary of the Treasury and deducted from any money appropriated for said exposition.

That no member of said commission or of said Government board, whether an officer or otherwise, shall be personally liable for any debt or obligation which may be created or incurred by the said commission or by the said United States Government board herein authorized.

That whereas the Secretary of the Treasury has certified, under date of February 6, 1901, that the Louisiana Purchase Exposition Company has presented to him proof to his satisfaction that it has raised \$10,000,000 for and on account of inaugurating and carrying forward an exposition at the city of St. Louis, Mo., in the year 1903, to celebrate the one hundredth anniversary of the purchase of the Louisiana Territory; therefore there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000,000, to aid in carrying forward such exposition, to pay the salaries of the members and secretary of the national commission herein authorized, and such other necessary expenses as may be incurred by said commission in the discharge of its duties in connection with said exposition, and to discharge all other obligations incurred by the Government on account of said exposition, except for the erection of its own buildings and the making and care of its own exhibits at said exposition.

That the money hereby appropriated shall be disbursed under the direction of the said Louisiana Purchase Exposition Company under rules and regulations to be prescribed by the Secretary of the Treasury and upon vouchers to be approved by him: *Provided*, That, except for the payment of the salaries and expenses of the national commission, no part of said appropriation shall become available until the sum of \$10,000,000 shall have been expended by said company on account of said exposition to the satisfaction of the Secretary of the Treasury: *Provided further*, That all sums expended by the Government on account of said exposition, including the salaries and expenses of said national commission, except for the erection of its own buildings and the making and care of its own exhibits at said exposition, shall be limited to and paid out of the appropriation of \$5,000,000 herein provided for such purpose.

That there shall be repaid into the Treasury of the United States the same proportionate amount of the aid given by the United States as shall be repaid to either the Louisiana Purchase Exposition Company or the city of St. Louis: *Provided*, That this section shall not be taken or construed to give the United States a right to share in the proceeds of said exposition beyond the actual amount appropriated to aid in carrying forward said exposition.

That any bank or trust company located in the city of St. Louis, or State of Missouri, may be designated by the Louisiana Purchase Exposition Company to conduct a banking office upon the exposition grounds, and if the bank so designated shall be a national bank, upon such designation being approved by the Comptroller of the Currency, said national bank is hereby authorized to open and conduct such office as a branch of the bank, subject to the same restrictions and having the same rights as the bank to which it belongs: *Provided*, That the branch office authorized hereby, if the same shall be a branch of a national bank, shall not be operated for a period longer than two years, beginning not earlier than July 1, 1902, and closing not later than July 1, 1904.

That no citizen of any foreign country shall be held liable for the infringement of any patent granted by the United States, or of any trade-mark or label registered in the United States, where the act complained of is or shall

be performed in connection with the exhibition of any article or thing at the Louisiana Purchase Exposition.

That the Secretary of War be, and he hereby is, authorized, at his discretion, to detail for special duty, in connection with the Louisiana Purchase Exposition, such officers of the Army as may be required, to report to the general commanding the Department of Missouri; and the officers thus detailed shall not be subject to loss of pay or rank on account of such detail, nor shall any officer or employee of the United States receive additional pay or compensation because of services connected with the said exposition from the United States or from said exposition.

That nothing in this act shall be so construed as to create any liability of the United States, direct or indirect, for any debt or obligation incurred, nor for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said commission.

That as a condition precedent to the payment of this appropriation the directors shall contract to close the gates to visitors on Sundays during the whole duration of the fair.

Mr. COCKRELL. I will state to the Senate that the amendment contains the Louisiana Purchase Exposition bill just as it was passed by the Senate, including the Teller amendment, and leaving out the preamble. There is not a change in any shape, manner, or form in it. I hope the Senator from New York [Mr. DEPEW] will accept it as a part of his amendment, which has been embodied in the bill by the committee.

Mr. ALLISON. I wish to say a word upon this amendment, and also upon the amendment found in the bill. The amendment in the bill relating to the Pan-American Exposition is an amendment that ought to be agreed to; but any Senator may make the point of order upon it, because it is legislation. The committee reported the amendment relative to the Buffalo Exposition with the understanding that if objection was made to it because of its being not in order, it would go out; and I want it understood that in making this report the committee made it with that understanding. I also suppose that will apply to the amendment offered by the Senator from Missouri [Mr. COCKRELL].

Mr. COCKRELL. I hope the Senator from New York will accept the amendment.

Mr. DEPEW. I will accept the amendment offered by the Senator from Missouri [Mr. COCKRELL].

Mr. TILLMAN. Mr. President—

Mr. ALDRICH. I did not understand the remark of the Senator from New York.

Mr. DEPEW. Mr. President, there is at the end of this bill an amendment in relation to the Pan-American Exposition. There are three propositions pending in regard to industrial expositions. One is the Buffalo Pan-American Exposition; another is the Louisiana Purchase Exposition, and the third is the Charleston Exposition. The Buffalo Exposition carries an appropriation of \$500,000; the Louisiana Purchase Exposition carries an appropriation of \$5,000,000, and the Charleston Exposition carries an appropriation of \$250,000.

The situation in regard to them is this: So far as the Pan-American Exposition at Buffalo is concerned, the Secretary of State issued an invitation to the South American Republics to be present and make their exhibits. The letter of the Secretary of State, which I will not detain the Senate by reading, is virtually an invitation, carrying with it the idea, as they understand it, that the Government of the United States is making this exhibit.

Under that invitation the South American Republics have demanded space at Buffalo, which has caused an expenditure exceeding the original estimate, and either they are to have the space which they have been invited by this Government to occupy or else they are to be told that there is not money enough to grant them the facilities to which they have been invited.

Under this provision, \$500,000 is asked from the Government, under circumstances which will make it a loan, which will certainly be repaid, for it takes precedence of the contributions to the stock made by the citizens there, and under any calculation that can be made the returns of the exposition will repay the Government this money. The citizens will raise \$500,000 more, and that will put the exposition in a position where the pledge of the Government to the South American Republics can be redeemed.

As to the St. Louis Exposition, in the bill which passed last year Congress committed itself in honor to the people of Missouri and the citizens of St. Louis that if they would raise \$10,000,000 the Government would loan \$5,000,000. St. Louis has raised \$11,000,000; and that obligation is an honorable one on the part of the Congress from which it can not escape.

So far as the exposition at Charleston is concerned, they only ask for a Government building to be erected at a cost of \$250,000. So, as we stand to-day, we are committed absolutely in honor to the Pan-American Exposition, to the Louisiana Purchase Exposition at St. Louis, and to the exposition to be held at Charleston. I think as a matter of right the appropriations proposed should be agreed to.

Mr. LODGE. Mr. President, the St. Louis Exposition appropriation and the Charleston amendment are in conference between the two Houses on the bill that was passed by the Senate. The Charleston amendment was put on that bill by the Senate unanimously. Of course, with this amendment added to this bill, I

suppose there will be no further attempt made to reach an agreement in conference. The House voted by a large majority to strike out the Charleston amendment from the bill which passed the Senate. I think the Charleston amendment stands on just as good grounds as the others, and if they all go on the bill I should hope that they will all succeed or all fail.

It does not seem to me fair to strike out one of them. I hope after this Congress that we shall cease the industrial exposition business; but these three are now all before Congress in these different ways. My attention has been brought to it, being on the conference committee on the industrial exposition bill, and it seems to me it would be very unfair for Charleston to be sacrificed, the smallest and quite as meritorious as any of these. I merely make this statement because they are all now open to the point of order. They all go in purely by sufferance, and if they go in on that understanding I do not think one ought to be sacrificed in conference. If they have all got to go, let them all go. If we are going to save them, I do not think the smallest ought to be sacrificed.

Mr. PLATT of Connecticut. I do not want to take up the time of the Senate, but I desire to say one word about industrial expositions. I do not object to this amendment. I do not object to the addition to it of the amendment proposed by the Senator from Missouri, which carries both the St. Louis appropriation and the Charleston appropriation. I think it is quite true that Congress committed itself in honor at the last session to the appropriation of the \$5,000,000 for the St. Louis Exposition, and I think that the Senate is certainly committed to the payment of \$350,000 for the Charleston Exposition.

But I want to give notice here that if I remain in the Senate I will endeavor to prevent the frequent legislation for the establishment of industrial expositions in this country. We ought to have not more than one in ten years, or at least five years, and we have now three in progress. I do not believe that it is to the benefit of the country, to the benefit of its business, its inventors, its merchants or manufacturers thus to overdo the exposition business. I wish therefore now, in order that I may not, when the next proposition comes up, be accused of being unfair to such a proposition, to give notice that so long as I remain in the Senate, and for several years at least, I will oppose any new projects of this kind.

Mr. McCOMAS. Mr. President, I have been waiting and hoping that somebody would make the point of order. It is ungracious to do it, but I make the point of order against both the amendment and the amendment to the amendment. Let the legislation be passed upon in conference or in the two remaining days. I believe the point of order is well taken, and I ask the Chair, if it is, so to rule.

The PRESIDENT pro tempore. The Senator from Missouri offers an amendment, which will be stated.

Mr. COCKRELL. That amendment has been accepted by the Senator who proposed the amendment.

Mr. PLATT of Connecticut. It has not been read.

The PRESIDENT pro tempore. The committee has not accepted it.

Mr. COCKRELL. So far as he can, he has accepted it. I understood the Senator from Iowa to accept it if the other went in. Mr. LODGE. No, he has not.

Mr. ALLISON. I share very largely the view of the Senator from Massachusetts—that these propositions should go together.

Mr. LODGE. I do not understand that any has been agreed to.

Mr. ALLISON. Not yet.

Mr. LODGE. They are all subject to the point of order.

Mr. ALLISON. The Buffalo Exposition has not yet been agreed to.

Mr. COCKRELL. I understood the Senator from Maryland to make the point of order against the Louisiana Purchase Exposition, and not against the other.

Mr. GALLINGER. He made it against all.

Mr. LODGE. He made it against the amendment and the amendment to the amendment.

Mr. CULLOM. All have been objected to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri to the amendment.

The amendment to the amendment was agreed to.

Mr. TILLMAN. I have been trying to get from the document room the reprint of the South Carolina amendment as it passed the Senate. It seems that it has not been printed in the shape in which it went through here, but I suppose the original can be found, and I move it as an amendment to the amendment of the Senator from New York.

The PRESIDENT pro tempore. The amendment proposed by the Senator from South Carolina to the amendment will be stated.

The Secretary proceeded to read the amendment to the amendment, which is as follows:

INTERSTATE AND WEST INDIAN EXPOSITION IN THE CITY OF CHARLESTON, IN THE STATE OF SOUTH CAROLINA.

And be it further enacted, That to encourage the holding of an interstate and West Indian exposition in the city of Charleston, in the State of South

Carolina, beginning on the 1st day of December, 1901, and closing on the 1st day of June, 1902, all articles that shall be imported from foreign countries for the sole purpose of exhibition at said exposition upon which there shall be a tariff or custom duty shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell for delivery at the close thereof any goods or property imported for or actually on exhibition in the exposition buildings or on the grounds, subject to such regulation for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles when sold or withdrawn for consumption in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against the persons who may be guilty of any illegal sale or withdrawal: *And provided further*, That all necessary expenses incurred in carrying out the provisions of this section, including salaries of customs officials in charge of imported articles, shall be paid to the Treasury of the United States by the South Carolina Interstate and West Indian Exposition Company, under regulations to be prescribed by the Secretary of the Treasury.

That there shall be exhibited at said exposition by the Government of the United States, from its Executive Departments, the Smithsonian Institution and National Museum, the United States Commission of Fish and Fisheries, the Department of Labor, and the Bureau of the American Republics, the islands of Porto Rico and Cuba and the Philippines, such articles and material as illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, and its relations to other American Republics, tending to demonstrate the nature of our institutions and their adaptation to the wants of the people. And to secure a complete and harmonious arrangement of such Government exhibit a board of management shall be created, to be charged with the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition, and return of such articles and materials as the heads of the several Departments and the Secretary of the Smithsonian Institution, the Commissioner of Fish and Fisheries, the Commissioner of Labor, and the Director of the Bureau of the American Republics may, respectively, decide shall be embraced in said Government exhibit. The President may also designate additional articles for exhibition. Such board shall be composed of one person to be named by the head of each Executive Department, one by the head of the Smithsonian Institution and National Museum, one by the head of the United States Commission of Fish and Fisheries, one by the Commissioner of Labor, one by the Director of the Bureau of the American Republics, one by the governor of Porto Rico, and one by the governor-general of Cuba.

The President shall name one of said persons so detailed as chairman, and the board itself shall appoint its secretary, disbursing officer, and such other officers as it may deem necessary. The members of said board of management, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board. Officers of the Army and Navy shall receive this allowance in lieu of the transportation and mileage now allowed by law. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with the South Carolina Interstate and West Indian Exposition.

Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine. The disbursing officer shall give bond in the sum of \$20,000 for the faithful performance of his duties, said bond to be approved by the Secretary of the Treasury. The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money from the appropriation for the Government exhibit, not exceeding at any one time three-fourths of the penalty of his bond, to enable him to pay the expenses of said exhibit as authorized by the board of management herein created.

That the Secretary of the Treasury shall cause a suitable building or buildings to be erected on the site selected for the South Carolina Interstate and West Indian Exposition for the Government exhibits from plans to be approved by the board, and he is hereby authorized and directed to contract therefor in the same manner and under the same regulations as for other public buildings of the United States, but the contract for said building or buildings shall not exceed the sum of \$75,000. The Secretary of the Treasury is authorized and required to dispose of such building or buildings, or the material composing the same, at the close of the exposition, giving preference to the city of Charleston or to the South Carolina Interstate and West Indian Exposition Company to purchase the same at an appraised value to be ascertained in such manner as may be determined by the Secretary of the Treasury.

That the United States shall not be liable on account of said exposition for any expense incident to or growing out of same, except for the construction of the building or buildings hereinbefore provided for, and for the purpose of paying the expense of selection, preparation, purchase, installation, transportation, care, custody, and safe return of exhibits by the Government, for the employment of proper persons as officers and assistants by the board of management created by this act, and for their expenses, and for the maintenance of the said building or buildings, and other contingent expenses, to be approved by the chairman of the board of management, or, in the event of his absence or disability, by such other officer as the board may designate, and the Secretary of the Treasury upon itemized accounts and vouchers; and the total cost of said building or buildings shall not exceed the sum of \$75,000; nor shall the expenses of said Government exhibit for each and every other purpose connected therewith, including transportation, exceed the sum of \$175,000, amounting in all to not exceeding the sum of \$250,000, which said sum of \$250,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be disbursed by the board of management hereinbefore created, of which not exceeding the sum of \$10,000 shall be expended for clerical service: *Provided*, That no liability against the Government shall be incurred, and no expenditure of money under this act shall be made, until the officers of said exposition shall have furnished the Secretary of the Treasury proofs to his satisfaction that there has been obtained by said exposition corporation subscriptions of stock in good faith, contributions, donations, or appropriations from all sources for the purpose of said exposition a sum aggregating not less than \$250,000.

SEC. 39. That medals with appropriate devices, emblems, and inscriptions commemorative of said South Carolina Interstate and West Indian Exposition, and of the awards to be made to the exhibitors thereof, shall be prepared at some mint of the United States for the board of directors thereof, subject to the provisions of fifty-second section of the coinage act of 1893, upon the payment of a sum not less than the cost thereof; and all the provisions, whether penal or otherwise, of said coinage act against the counterfeiting or imitating of coins of the United States shall apply to the medals struck and issued under this act.

SEC. 31. That the United States shall not in any manner nor under any circumstances be liable for any acts or doings of said South Carolina Interstate and West Indian Exposition Association, its officers, agents, servants, or employees, or any of them, or for service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any certificates of stock, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind whatever attending such corporation, or accruing by reason of the same.

That nothing in this act shall be so construed as to create any liability of the United States, direct or indirect, for any debt or obligation incurred, nor for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support of liquidation of any debts or obligations created by said commission in excess of appropriations made by Congress therefor.

That the act of Congress approved February 23, 1885, prohibiting the importation of foreigners under contract to perform labor, and the acts of Congress prohibiting the coming of Chinese persons into the United States and the acts amendatory of these acts shall not be construed, nor shall anything therein operate to prevent, hinder, or in anywise restrict any foreign exhibitor or citizen of a foreign nation, or the holder who is a citizen of a foreign nation, of any concession or privilege from the South Carolina Interstate and West Indian Exposition Company, of Charleston, S. C., from bringing into the United States, under contract, such mechanics, artisans, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparations for installing or constructing any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been granted by the South Carolina Interstate and West Indian Exposition Company, of Charleston, S. C., in connection with such exposition: *Provided, however*, That no alien shall, by virtue of this act, enter the United States under contract to perform labor except by express permission, naming such alien, of the Secretary of the Treasury, and any such alien who may remain in the United States for more than one year after the close of said exposition shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract labor law aforesaid.

That the appropriation herein made of \$250,000 in all shall take effect and become available immediately upon the passage of this act.

That as a condition precedent to the payment of this appropriation the directors shall contract to close the gates to visitors on Sundays during the whole duration of the fair.

Mr. TILLMAN. We can save time in regard to reading it, this bill has already passed the Senate as a separate bill, and it has passed the Senate as an amendment to the St. Louis bill. It is identical in its terms with the original law which was passed last year for a Government exhibit at the Pan-American Exposition at Buffalo. Therefore, unless Senators wish merely to have read what has been read twice, there is no need to do more than to let the Charleston Exposition bill be tacked onto the St. Louis Exposition bill, which has already been tacked onto the Buffalo bill.

Mr. CARTER. Ask unanimous consent.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Carolina to the amendment.

The amendment to the amendment was agreed to.

Mr. McCOMAS. I make the point of order.

The PRESIDENT pro tempore. Will the Senator from Maryland state his point of order?

Mr. McCOMAS. It is that it is not in order, as being new legislation, general legislation on this appropriation bill, and not relevant.

Mr. HOAR. I rise to a parliamentary suggestion about the point of order. Is it general legislation—for as to new legislation, everything is new legislation on the bill—to provide for the free introduction of certain goods from abroad, under certain conditions to be fixed by the Secretary of the Treasury?

Mr. McCOMAS. It is general legislation, which is my point.

Mr. HOAR. My suggestion is that it is not.

Mr. VEST. We can not hear anything.

Mr. DEPEW. We can not hear.

Mr. VEST. Has the amendment been adopted?

The PRESIDENT pro tempore. It has.

Mr. VEST. This is a similar amendment?

The PRESIDENT pro tempore. It has been adopted.

Mr. CULLOM. All three have been agreed to.

Mr. PLATT of Connecticut. Mr. President, on the point of order I desire to say a word. Rule XVI provides:

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

Now, does not that make it in order?

The PRESIDENT pro tempore. The point of order raised was not with respect to either of those propositions, but that it was general legislation. There is another rule which provides that no general legislation whatever shall be received to an appropriation bill; and that is not cured by having been reported by a committee and referred to a committee, nor is it cured by having been previously passed by the Senate. It is simply the question whether this is general legislation.

Mr. FORAKER. The Chair correctly states the question. How can it be said that it is general legislation when it refers to a specific matter and makes a specific provision for one specific transaction?

Mr. GALLINGER. It seems to me the irrigation amendment was rather specific.

Mr. PLATT of Connecticut. Does not the fact that it is an appropriation already passed by the Senate, so far as St. Louis and Charleston are concerned, take it out of the category of general legislation?

Mr. FORAKER. I think clearly it does. It does not seem to me it is general legislation, within the meaning of that term.

Mr. HOAR. I should like to submit to the Chair, in view of what has been said by the Senator from Ohio, that it is not an appropriation of public money which simply provides that some foreign article, which otherwise would not come in at all, so that the revenues would not be increased by it, may come in without the payment of duty. It certainly seems to me, with great respect, that that is not an appropriation.

The PRESIDENT pro tempore. Is it the opinion of the Senator from Massachusetts that this is not general legislation?

Mr. HOAR. I understood the point of order was confined simply to the proposition about the articles coming in free of duty.

Mr. GALLINGER. No.

Mr. HOAR. My colleague now tells me there is a sum of money appropriated, which is embraced in the point of order. It seems to me very clearly that it is not general legislation. Whether it carries an appropriation under the rule suggested by the Senator from Connecticut I express no opinion whatever.

Mr. VEST. I call attention to the fact that this appropriation is to carry out the provisions of existing law. Both Houses of Congress made a solemn agreement with the city of St. Louis that if \$10,000,000 should be raised there then the Government would advance \$5,000,000. That is the law enacted by both Houses of Congress and approved by the President, in the sundry civil act of last session.

Now, in regard to the other appropriations, without being at all invidious, and I am not at all opposed to either of them, the Charleston Exposition appropriation has only passed one House, the Senate. It has not passed the House of Representatives. The Buffalo Exposition appropriation has not passed either House. I call the attention of the Senate to the additional fact that this can not be general legislation, because it is a specific appropriation for a specific purpose. It can not be said to be general legislation in any sense of the term.

Mr. FORAKER. When I made the point a moment ago that this is not general legislation and could not be because it is specific, having reference to a special matter, the Senator from New Hampshire [Mr. GALLINGER] interrupted to say that the amendment voted on a moment ago, offered by the Senator from North Dakota [Mr. HANSBROUGH], was quite as specific as this. I do not know of anything better to illustrate the difference between special legislation and general legislation than just what has just been suggested.

The amendment offered by the Senator from North Dakota provides for a general law which is to continue in force and under which they are to operate until Congress shall otherwise provide. It is as much general legislation as any statute could possibly be, whereas this, as the Senator from Missouri has just said, is merely a special provision having reference to a special matter, and not in any sense whatever general legislation. The difference between general and special legislation is so manifest and the distinction is here so easily drawn that it seems to me unnecessary to touch upon it. Therefore I think the point of order is not well taken that this is general legislation.

Mr. GALLINGER. Mr. President, I have no desire to go into argument about general and special legislation. I have been impressed very profoundly with the fact during this session of Congress that it is always special legislation when we want to put a matter of this kind into an appropriation bill and general legislation when we want to rule it out.

Mr. LINDSAY. I will ask whether it was special legislation when we put in the amendment to the Army appropriation bill? Was that special or general legislation?

Mr. FORAKER. I think it was general.

Mr. LINDSAY. Then the Senate has decided that general legislation may be put on an appropriation bill.

Mr. WOLCOTT. Mr. President, I think the Senator from Maryland [Mr. McCOMAS] ought to be open to one appeal. All of us can understand that a man's rugged sense of duty would require him to make a point of order against appropriations of public money for expositions in the different States, but we seem to have reached a parliamentary situation here where large appropriations for two expositions have passed the Senate and are now in conference upon another bill between the two Houses, \$5,000,000 for St. Louis and \$250,000 for Charleston, while the Pan-American appropriation of \$500,000 comes in upon this bill only.

If they all go out upon the point of order, as all will, if any does, then it remains true that the five million for St. Louis and the \$250,000 for Charleston may still become the law, and the particularly meritorious appropriation for Buffalo of \$500,000 goes out of the bill, the one appropriation of the three where the money is to be absolutely refunded, every dollar of it, to the Government.

I hope the Senator from Maryland will not bar the consideration of Buffalo and its \$500,000, when the effect of it may be that notwithstanding this point of order, and notwithstanding the effect upon this bill, if the Chair sustains it, we may yet have the appropriation for St. Louis and Charleston, notwithstanding that the other goes out.

Mr. MCCOMAS. The pending bill has grown to be very large, and this objection is ungracious and difficult to make. I waited for others to make it. The most meritorious case is that of Buffalo, and in some fashion, if it can be passed, it would be different; but these amendments on this appropriation bill, under the most familiar rule, propose general legislation. I can not conceive of three instances more directly out of order than these. I do not care to argue the proposition. I put it to the experience of the Chair and to the record of the rulings of the Chair. If it is irregular and out of order, let the Chair say so. If it be not, let the Chair say so.

I do not desire to discuss it. Above all, I would be glad to meet the view of the Senator from Colorado and those who take the same position, but if I make the point of order, and they are all of the same kind, I ought to make the point apply to all, and I appeal to the Chair to rule if I be right or wrong as to this being general legislation upon an appropriation bill.

Mr. CHANDLER. Will the Chair hear a suggestion on the point of order?

The PRESIDENT pro tempore. Certainly.

Mr. CHANDLER. The rule against general legislation, as it is termed, was directed or intended to be directed against general legislation or legislation which had no reference to an appropriation. The power of appropriation remains, and limitations upon appropriations, directing how a specific appropriation shall be expended, are in order. Now it is in order to move to add to the bill an appropriation to carry out some bill which has already passed the Senate, and here is an appropriation, and all these other long provisions are not general legislation under the rule, I submit. They are merely limitations and directions as to an appropriation which is in order, because it has passed the Senate at this same session.

The PRESIDENT pro tempore. The Chair is of opinion that as to these three amendments, or two amendments at any rate, for the St. Louis Exposition and the Charleston Exposition, the appropriation is in order, because in both instances a bill has already passed the Senate making the appropriation, and that the other provisions of those two amendments are simply instructions and limitations upon the expenditure of the money appropriated. That would make those two in order. The Chair is inclined, recognizing the very evident disposition of the Senate, to rule this entire amendment as amended in order. The question is, Will the Senate agree to the amendment as amended?

The amendment as amended was agreed to.

Mr. WOLCOTT. I offer an amendment, which I send to the desk.

The SECRETARY. On page 77, after line 17, it is proposed to insert the following:

That the Colorado Cliff Dwelling Association is hereby authorized to lease from the Wi minuchi Ute tribe of Indians, for a period of ten years, all that tract of land known as the Mesa Verde, situated in the county of Montezuma, in the State of Colorado, said tract of land to be described by metes and bounds, and the lease to include and cover the ruins and prehistoric remains situated therein; and said Colorado Cliff Dwelling Association to have the right to use and occupy said tract of land for the purpose of preserving and controlling said ruins and remains and protecting them from depredation.

Mr. ALLISON. May I ask the Senator from Colorado whether he proposes to ask unanimous consent for the adoption of the amendment?

Mr. WOLCOTT. I ask unanimous consent, and I can in a word explain to the Senate the situation.

For some years an association of patriotic and public-spirited women in Colorado have endeavored to preserve the cliff-dwelling ruins which exist in the southwestern portion of the State. Attempts have been made through the Interior Department and the Indian Bureau to accomplish this purpose. Everywhere there has been the hearty cooperation of the Administration; but upon the survey it has been ascertained that the principal seat of these ruins is within an Indian reservation.

They are rapidly being denuded of their treasures. Relic hunters and tourists, from time to time, chip off and carry away the remnants of these wonderful dwellers and the evidences of their occupancy of these almost impassable cliffs. So the Department has agreed with the association, and it would be glad to do so, to lease them for a substantial price—something like \$300 a year—the Indians consenting, the few acres that contain these dwellings, to be set apart to this association, which proposes to police them and to protect them. This amendment, at the close of the present session, is intruded upon the pending bill solely that the Interior Department may carry out a measure which it desires to execute and to carry out, but which it has not the direct authority of law to do.

Therefore I ask unanimous consent that, as a matter of form, it may go upon this bill. It carries no money. It will bring money to the Government. It is only in the public interest. It is to further no private interest of any sort.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent that this amendment may be made to the pending bill. Is there objection? The Chair hears none, and the amendment is agreed to.

Mr. CULLOM. I ask the chairman of the committee to accept an amendment which I will send to the desk to be read.

The PRESIDENT pro tempore. The Senator from Illinois proposes an amendment, which will be stated.

The SECRETARY. On page 25, after line 2, it is proposed to insert:

The Secretary of the Treasury is hereby authorized to have constructed a revenue cutter for use in the waters of the Territory of Hawaii, at a cost not to exceed \$200,000, and the sum of \$50,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be made immediately available, for such purpose.

Mr. CULLOM. I hope there will be no objection to the amendment.

Mr. ALLISON. We do not want to appropriate \$250,000 for this purpose.

Mr. CULLOM. It is \$200,000 for a revenue cutter. I reduced it \$50,000. It is very much needed, and the Secretary of the Treasury recommends the provision in order to protect that coast from Chinamen and every other class of people who are trying to get into this country through the Hawaiian Islands.

Mr. PLATT of Connecticut. What is the amendment? I did not catch it.

Mr. CULLOM. It provides for a revenue cutter for the Hawaiian Islands.

The PRESIDENT pro tempore. The amendment will again be stated.

The Secretary again read the amendment.

Mr. PETTIGREW. Is there an estimate for it?

Mr. CULLOM. I do not know whether there is or not, except that there is a letter from the Secretary of the Treasury, in which he says:

In my opinion it is essential that a vessel shall be provided for duty in those waters, and I therefore recommend the adoption of the amendment.

Which has just been read.

Mr. PETTIGREW. I shall not make the point of order against it. The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Illinois.

The amendment was agreed to.

Mr. CULLOM. I have another amendment which I should like to submit. I move to insert, after line 7, on page 74, what I send to the desk.

The SECRETARY. On page 74, after line 7, it is proposed to insert:

To enable the Commissioner of General Land Office to examine and report on the public lands of the Territory of Hawaii, \$10,000.

Mr. ALLISON. I am constrained to make the point of order on the amendment.

The PRESIDENT pro tempore. Will the Senator from Iowa state his point of order?

Mr. ALLISON. My point is that it is not estimated for.

Mr. CULLOM. Here is a long letter from the Commissioner of the Land Office urging very strongly that it be adopted, so that they can dispose of the lands there at some time or other.

Mr. ALLISON. What is the date of the letter?

Mr. CULLOM. February 13.

The PRESIDENT pro tempore. Has the amendment been favorably reported from any standing committee?

Mr. ALLISON. Not that I know of.

Mr. CULLOM. It has.

The PRESIDENT pro tempore. What committee?

Mr. CULLOM. It went to the Committee on Public Lands, I am told, and was reported favorably.

Mr. HANSBROUGH. I do not recall any provision of that kind being reported. I desire to say, if the Senator from Illinois will allow me, that while I believe there should be an investigation of the public-land question of Hawaii, because I think the public lands there are going to be frittered away, yet I do not think it ought to be done as proposed by the Senator from Illinois. I think a committee of this body and a committee of the other body should go there and make an impartial investigation. The Commissioner of the General Land Office can not himself go there. He will probably appoint somebody to go there, and we do not know whether or not they are the persons who ought to go and make this examination.

Mr. CULLOM. I withdraw the amendment.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. WARREN. I ask for the adoption of the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Add as a new section the following:

SEC. —. That section 4 of the act of August 18, 1894, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," is hereby amended so that the ten years' period within which any State shall cause the lands applied for under said act to be irrigated and reclaimed, as provided in said section as amended by the act of June 11, 1896, shall begin to run from the date of approval by the Secretary of the Interior of the State's application for the segregation of such lands; and if the State fails within said ten years to cause the whole or any part of the lands so segregated to be so irrigated and reclaimed, the Secretary of the Interior may, in his discretion, continue said segregation for a period of not exceeding five years, or may, in his discretion, restore such lands to the public domain.

Mr. WARREN. I wish to ask unanimous consent of the Senate for the adoption of the amendment. The amendment may be open to a point of order, but the substance of it is to extend the time for proofs of reclamation of certain lands that were to be irrigated under legislation which was embraced originally in the sundry civil appropriation act and later was amended in a sundry civil bill. The amendment provides that the ten years shall extend from the date of segregation rather than from the date of the original act.

I submit on this subject a communication from the honorable Secretary of the Interior, which I ask leave to print:

DEPARTMENT OF THE INTERIOR,
Washington, February 9, 1901.

The CHAIRMAN OF THE COMMITTEE ON PUBLIC LANDS,
United States Senate.

SIR: Under your reference I have considered the amendment intended to be proposed by Mr. WARREN to the sundry civil bill, which amendment relates to the million-acre desert-land grant made to certain States in the arid region by section 4 of the act of August 18, 1894 (23 Stat., 372, 422). The granting act has been amended in an important particular by the act of June 11, 1896 (29 Stat., 413, 434; see 26 L. D., 74). The purpose of the amendment now proposed is manifestly a good one—namely, the extension of the time within which the irrigation and reclamation of lands segregated and intended to be granted shall be accomplished.

This grant was a departure from former legislation, and therefore in a measure experimental. In actual experience it has been attended with good results, but the great work involved in the irrigation and reclamation of such large quantities of land and the necessity of obtaining the requisite capital or the necessary combination of individual labor have been found to usually require the maximum time limited for the completion of the work—namely, "within ten years next after the passage of this act" (August 18, 1894). The effect of this limitation is that where arid lands were segregated soon after the passage of the act practically the full period of ten years could be employed in their irrigation and reclamation; but now, more than six years having elapsed, sufficient time does not remain within which lands segregated at this time could be irrigated and reclaimed.

The result is that the States will not receive the full quota of the lands intended to be granted, nor will the purposes of the act be anything like accomplished unless the limitation with respect to time be so changed that the period of ten years shall commence to run in each instance from the date of the segregation instead of from the date of the original granting act. To avoid any possible confusion in the matter, and to give full effect to the purpose underlying the amendment now proposed, I have caused to be drawn, and herewith submit, a substitute amendment, which I commend to your favorable consideration.

If this amendment is adopted the result will be that each State affected can from time to time obtain segregations of arid lands under this grant until the full amount of 1,000,000 acres is obtained, and with respect to each segregation there will be a full period of ten years allowed within which to complete the work of irrigation and reclamation. The substituted amendment also contemplates that there may be instances in which a failure to complete the work within the prescribed time will nevertheless be attended with such efforts and equities that an additional period should be allowed, and in this view it is provided that in case of such default the Secretary of the Interior, in his discretion, may continue the segregation for not exceeding five years, or may restore the lands to the public domain.

Very respectfully,

E. A. HITCHCOCK,
Secretary.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent that the amendment may be made to the bill. Is there objection? The Chair hears none, and it is accepted.

Mr. GALLINGER. Mr. President, I submit an amendment that I trust will go in the bill. For the purpose of possibly avoiding some debate, I will say that it has passed the Senate and has been reported favorably by another standing committee.

The PRESIDENT pro tempore. The amendment will be read.
The SECRETARY. After line 13, page 149, insert:

That there be printed 6,000 copies of the document known as Messages and Papers of the Presidents, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives, the remainder, if any, to be held by the superintendent of documents, subject to the future action of Congress; and an edition of 10,000 copies shall be printed, to be held by the superintendent of documents and by him sold at the actual cost of publication.

Mr. ALLISON. I suggest to the Senator from New Hampshire that he omit the latter part of that amendment.

Mr. GALLINGER. I think that that is the most important part of it. Here are gentlemen going over the country imposing upon the people of this country by selling a public document for \$35 that can be published for about nine or ten dollars, and they have brought themselves into such disrepute that a judge, Justice Childs, of the supreme court of the State of New York said the other day:

The plain purpose of the person who originated this system of obtaining subscribers for these books was to defraud the public. Such a scheme, permeated with fraud from start to finish, should not be permitted by sanction of any court to succeed.

If it ought not to be permitted by a court, it ought not to be permitted by the Congress of the United States, under whose sanction and by whose authority this publication was first issued.

Mr. President, I do not want to take the time of the Senate. I have a mass of documents here which show that a gigantic fraud is being perpetrated upon the people of this country. If any Senator will take the trouble to read an article in the New York Sun of this very day it seems to me that he will see the importance of the Government publishing an edition of this book, which it will sell to the people of the country at cost price, and not permit this fraud to continue any longer which is being perpetrated upon the people and upon the Congress.

Mr. CHANDLER. How recent are the transactions stated in the Sun, I will ask the Senator?

Mr. GALLINGER. Very recent.

Mr. CHANDLER. How recent?

Mr. GALLINGER. Within a very few days, Mr. President.

Mr. ALLISON. Will the Senator from New Hampshire yield to me for a moment?

Mr. GALLINGER. Certainly.

Mr. ALLISON. The reason why I made the suggestion is that an edition of 10,000 copies will not go very far to ameliorate the conditions now stated by him.

Mr. GALLINGER. It will be a starter.

Mr. ALLISON. As the Senator says, it will be a starter to a very large addition hereafter.

Mr. GALLINGER. I think so.

Mr. ALLISON. I withdraw any suggestion of amendment and will allow it to be passed.

The amendment was agreed to.

Mr. COCKRELL subsequently said: I want to make a request. In the amendment of the Senator from New Hampshire [Mr. GALLINGER], passed a few moments ago, for the publication of the Messages and Papers of the Presidents, the allotment is 2,000 to Senators and 4,000 to the members of the House. That is not sufficient. I ask unanimous consent that 3,000 may be inserted for the Senate and 6,000 for the House.

Mr. GALLINGER. I hope that may be done, Mr. President. The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri? The Chair hears none.

Mr. GALLINGER. I will venture to express the hope, furthermore, that the conferees on the part of the Senate will see that this amendment remains in the bill, if they can do so.

Mr. JONES of Arkansas. I move to amend the bill by inserting at the proper place what I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Add to the bill as an additional section the following:

SEC. —. That the Secretary of the Interior be, and is hereby, authorized and directed to determine the value of certain condemned buildings formerly located on Hot Springs Mountain Reservation, and on the east side of Valley street, in the city of Hot Springs, in the State of Arkansas, which buildings were condemned by the Hot Springs Commission, and proof of value taken by said commission, under authority of law, and which were destroyed by fire on the night of the 5th day of March, 1877, before said commission had issued certificates for the value thereof, as they were authorized and directed, and did afterwards do for buildings similarly situated, but not burned. That the value of each building so condemned and burned shall be determined by the Secretary from the petitions and evidence filed before said commission by the owners and occupiers thereof, by order of said commission, and now on file in the Interior Department, or such other evidence as the claimants may file, and after such investigation as he may think proper.

That a sum of money sufficient to pay for such investigation and the claims so ascertained and fixed by the Secretary of the Interior be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated; and the Secretary of the Interior is hereby authorized and directed to pay to such person or persons, claimants, their executors, administrators, the sum or sums of money equal to the values so as aforesaid found by him.

That the Secretary of the Interior is required to report to Congress the results of his action under the foregoing section.

Mr. ALLISON. I make the point of order upon this amendment that it is not estimated for and, as I understand the reading, it is a claim. But in addition to that, it is now under consideration by the Committee on Appropriations on the deficiency appropriation bill, and has been partially rejected, I understand.

Mr. JONES of Arkansas. Mr. President, this provision has passed the Senate at this session. It has been reported favorably from a standing committee. It simply authorizes the Secretary of the Interior to adjust these claims, part of which have been already paid. By reason of the fact that the Hot Springs commissioners failed to issue certificates for the buildings that were burned, as they did for the buildings that were not burned, the Secretary of the Interior did not feel himself authorized to pay these claims, and it is to authorize the Secretary of the Interior to pay these just as all the others have been paid. That is the purpose of this amendment, and I do not think it is in any sense amenable to a point of order. Certainly these claims ought to be paid.

This matter has been standing for many years, and the only reason why it has not been settled is because the Secretary of the Interior has not considered himself authorized by the statute to

pay these claims because the certificates were not issued by the Hot Springs Commission. That is the only trouble.

Mr. PLATT of Connecticut. While the Chair is examining the amendment, will the Senator state just what it is that he is seeking pay for? I suppose he already stated it, but I did not hear him.

Mr. JONES of Arkansas. When the Hot Springs Commission was appointed by Congress years ago and went to Hot Springs with authority to make certain changes in the town, they were authorized to condemn buildings where it was necessary for it to be done to carry out the purposes. The commission condemned a number of buildings and took possession of them on the part of the Government, and rented them and collected the rent. While this was being done they ordered testimony to be taken as to the value of all these buildings. The testimony was taken. It was all in the hands of the commission. They had possession of the buildings; they were collecting rent on the buildings; and a fire broke out before certificates were issued, and a part of the buildings were burned. The commission did not issue certificates to the owners of the buildings that were burned, but did issue certificates for all the buildings that were still standing, when they should have issued certificates for all the buildings alike.

Mr. PLATT of Connecticut. Why did they not?

Mr. JONES of Arkansas. It was simply a technical misunderstanding on their part. There was no reason given except that they supposed that as the buildings were burned, they ought not to issue the certificates. That is what they ought to have done. This amendment simply authorizes the Secretary of the Interior to pay upon the testimony taken by them and at the time in the same way that other buildings were paid for.

Now, the Government had these buildings, had possession of the buildings, collected the rent on them, which rent went into the Treasury of the United States, and these people are entitled to the same pay as the others. They are a number of small claimants. They can not employ attorneys to help them here. The total amount is only about \$30,000, or a little over, to be divided among fifteen, twenty, or twenty-five people, and the Secretary of the Interior ought to have the right to issue the certificates as the commission would have done at the time.

The PRESIDENT pro tempore. Was this bill passed at the present session of Congress?

Mr. JONES of Arkansas. I do not know that it was passed at this session. It was passed during this Congress.

The PRESIDENT pro tempore. The rule is that it must be passed during the present session.

Mr. JONES of Arkansas. The amendment I submitted shows the date at which it was passed; I do not remember the date. I hope the Senator from Iowa will not insist on a point of order. It would do an injustice to a number of people who are entitled to this money at the hands of the Government. The amendment simply authorizes the Secretary of the Interior to do what that commission should have done at the time.

Mr. SCOTT. I should like to ask the Senator from Arkansas a question.

Mr. JONES of Arkansas. I yield to the Senator from West Virginia.

Mr. SCOTT. Were the buildings that were burned insured; and if so, who collected the insurance?

Mr. JONES of Arkansas. I do not know that they were insured at all. I presume they were not. The Government had condemned them, had possession of them, was renting them and collecting the rent. When they were burned they were in the hands of the Government. For the other buildings that were not burned the commissioners issued certificates, and the money was paid. The only difficulty in this case was that the commissioners did not issue the certificates for the buildings that were burned when the testimony was taken.

Mr. HOAR. Allow me to suggest to the Senator from Arkansas that if these people, or any of them, collected any insurance the Secretary of the Interior will look out for that and will not issue certificates under the amendment.

Mr. JONES of Arkansas. That, of course, will be true.

Mr. COCKRELL. The individuals could not have insured it; it was not their property.

Mr. JONES of Arkansas. They did not have it.

The PRESIDENT pro tempore. The Chair finds that the bill was passed at the last session and not at the present session. It was passed April 26, 1900. The Chair is obliged to sustain the point of order.

Mr. JONES of Arkansas subsequently said: In view of the hardship done to a number of small claimants in the matter that I have just stated to the Senate, which must appeal to the sense of fairness of every American citizen, I ask unanimous consent that the amendment which I had read a few minutes ago may be incorporated in this bill.

The PRESIDENT pro tempore. The Senator from Arkansas asks unanimous consent that the amendment offered by him a

few moments ago may be made to the pending bill. Is there objection? The Chair hears none, and it is so ordered.

Mr. SCOTT. At the bottom of page 88, after the word "dollars," line 26, I move to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. On page 88, after line 26, insert:

That the officer in charge of public buildings and grounds is hereby authorized to set apart a sufficient portion of Rawlins Park, in the District of Columbia, for the site of a memorial building to be erected by the National Society of the Daughters of the American Revolution, and to be used only for such purposes of said society as are authorized by its charter.

Mr. ALLISON. Did the Senator from West Virginia ask unanimous consent to have the amendment inserted in the bill?

The PRESIDENT pro tempore. He did not.

Mr. BURROWS. I will say to the Senator from Iowa that it is an amendment embodying the substance of a bill which has already passed the Senate, which had been reported in the first instance by the Committee on Public Buildings and Grounds. This amendment was offered by me as a proposed amendment to this bill and referred to the Committee on Public Buildings and Grounds, and it was reported favorably by that committee.

Mr. ALLISON. I shall raise a point of order if the amendment is proposed. I am not certain whether it is in order or out of order under the statement of the Senator, but if unanimous consent is asked I shall not object.

Mr. SCOTT. Then I ask unanimous consent that the amendment may be inserted in the bill.

The PRESIDENT pro tempore. The Senator from West Virginia asks unanimous consent that this amendment may be adopted. Is there objection? The Chair hears none, and it is so ordered.

Mr. HANSBROUGH. I move to insert after the word "districts," in line 16, page 72, the following words:

And the examination of surveying returns in the General Land Office.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. After the word "districts," line 16, page 72, it is proposed to insert:

And the examination of surveying returns in the General Land Office.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOAR. I move an amendment which passed the Senate at a prior Congress, has the entire approbation of the Committee on Appropriations, I understand, and will not be objected to.

The PRESIDENT pro tempore. Where will the Senator have the amendment inserted?

Mr. HOAR. At the foot of page 149.

The SECRETARY. At the foot of page 149 insert:

That sections Nos. 2529 and 2544 of the Revised Statutes of the United States are hereby so amended that there shall be one appraiser of merchandise at each of said ports instead of two, as now provided by law.

The salary of said appraisers shall be \$4,000 each per annum, instead of \$3,000 each, as now established by law.

Mr. SPOONER. The reference to the sections does not explain the amendment. I should like to ask the Senator from Massachusetts to explain it.

Mr. HOAR. This matter was fully stated to the Senate in the last Congress. It had the unanimous approbation of the Committee on Appropriations and of the Senate. There are two appraisers of merchandise for the port of Boston authorized by law, at \$3,000 apiece. This amendment substitutes one appraiser and increases his salary to \$4,000. So it is a saving to the Government in this respect of \$2,000 a year.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CAFFERY. I offer an amendment to come in on page 59, after line 25.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. On page 59, after line 25, insert:

That the Secretary of the Treasury is hereby authorized and directed to state an account with Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mails over postal routes Nos. 3003 and 14903 during the period between July 1, 1878, and February 21, 1892, both inclusive, in which he shall credit said company with nonland grant rates over that portion of its route between New Orleans and Morgan City, La., in accordance with the decision of the Court of Claims in case No. 13577, and shall pay to said company, out of any money in the Treasury not otherwise appropriated, such sum as shall remain due upon such adjustment.

Mr. ALLISON. I have no doubt that is a proper claim to be paid, but it is impossible to put all such provisions upon this bill. So I am constrained to raise the point of order that there is legislation in the amendment.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. CAFFERY. Mr. President, if you will permit me to make a statement about the point of order, this claim arises out of a ruling of the Postmaster-General in withholding 20 per cent of the pay of this railroad on the ground that it was a land-grant railroad. That matter was taken before the Court of Claims and

the Court of Claims decided that the claimant company was not a land-grant railroad.

Now, Mr. President, the money is held in the Treasury of the United States in point of fact as in a trusteeship for this company. The claim is not only authorized by a report of the Committee on Claims favorably upon an amendment identical to this one to the sundry civil bill, but it has been sustained by the Court of Claims and it is now based upon the existing law. This money is unduly held in the Treasury, and is there to the credit of this railroad company. It occurs to me that the law authorizes the Postmaster-General to contract with this company, as any other company, for pay. The pay is withheld on an error, and you only execute existing law by paying the amount so withheld.

The amount is only 20 per cent of the original claim, and I am told by the Senator from Nevada [Mr. STEWART], who reported the claim favorably, that it does not amount to more than some \$7,500. It is a just claim. The amendment certainly is not amenable to the point of order, and the claim ought to be paid.

The PRESIDENT pro tempore. The Chair is obliged to sustain the point of order.

Mr. FAIRBANKS. I ask the unanimous consent of the Senate for the consideration of an amendment which I have sent to the desk.

The PRESIDENT pro tempore. The Senator from Indiana offers an amendment and asks unanimous consent for its insertion.

Mr. FAIRBANKS. It is to be inserted at page 131, after the word "judicial," in line 5.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. After the word "judicial," line 5, page 131, insert:

That the commissioners heretofore appointed in pursuance of an act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897, to revise and codify the criminal and penal laws of the United States, be, and they are hereby, directed to revise and codify, in accordance with the terms and provisions of said act and the acts supplementary thereto, all laws of the United States of a permanent and general nature in force at the time when the same shall be reported.

That in performing this duty the said commissioners shall bring together all statutes and parts of statutes relating to the same subjects, shall emit redundant and obsolete enactments, and shall make such alterations as may be necessary to reconcile the contradictions, supply the omissions, and amend the imperfections of the original text; and they may propose and embody in such revision changes in the substance of existing law; but all such changes shall be clearly set forth in an accompanying report, which shall briefly explain the reasons for the same.

SEC. 3. That the said commissioners shall arrange such revision under titles, chapters, and sections, or other suitable divisions and subdivisions, with head notes briefly expressive of the matter contained in such division, and with marginal notes so drawn as to point to the contents of the text, and with references to the original text from which each section is compiled, and to the decisions of the courts of the United States explaining or construing the same, and they shall provide by an index for an easy reference to every portion of such revision.

SEC. 4. That when the commissioners have completed such revision in accordance herewith, they shall cause a copy of the same, in print, to be submitted to Congress, that the statute so revised and codified may be reenacted if Congress shall so determine.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that this amendment may be adopted as an amendment to the pending bill. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORGAN. I offer an amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert the following:

That the President of the United States be, and is hereby, authorized to acquire from the States of Costa Rica and Nicaragua, subject to the approval of Congress, if such rights are acquired by contract, or by the Senate, if such rights are acquired by treaty for and in behalf of the United States, control of such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary on which to excavate, construct, and protect a canal of such depth and capacity as will be sufficient for the movement of ships of the greatest tonnage and draft now in use from a point near Greytown, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean.

And in substantial accordance with the subsisting conventions with Nicaragua and Costa Rica in the words following, the agreement with each of said States being in identical terms:

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements in detail found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal. And the sum of \$10,000 is hereby appropriated for these purposes, to be immediately available.

Mr. ALLISON. Mr. President—

Mr. MORGAN. Does the Senator from Iowa propose to raise the question of order?

Mr. ALLISON. I was about to say that I think this amendment is clearly not in order. It is general legislation; and I am

compelled to make that point, although I am a friend of the Nicaragua Canal.

Mr. MORGAN. I merely wish to say a few words upon the point of order.

The PRESIDENT pro tempore. The Senator from Alabama.

Mr. MORGAN. Mr. President, all the money that has been appropriated for canal purposes by the Government of the United States heretofore has been on appropriation bills—some on the sundry civil bill, and some on the river and harbor bill. The first appropriation was made in the Fifty-fifth Congress in the following language:

For the purpose of ascertaining the feasibility, permanence, and cost of the construction and completion of the Nicaragua Canal by the route contemplated and provided for by an act which passed the Senate January 23, 1895, entitled "An act to amend the act entitled 'An act to incorporate the Maritime Canal Company of Nicaragua,' approved February 20, 1889," \$20,000, to be expended under the direction of the Secretary of State.

That was the so-called Ludlow Commission. That commission went out and made a survey under this act of Congress in pursuance of a policy established by the Government of the United States in the prior acts chartering the Maritime Canal Company. In the Fifty-fifth Congress, first session, Congress enacted:

Nicaragua Canal Commission: To continue the surveys and examinations authorized by the act approved March 2, 1895, entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes," into the proper route, the feasibility and cost of construction of the Nicaragua Canal, with the view of making complete plans for the entire work of construction of such canal as therein provided, \$150,000; and to carry out this purpose the President of the United States is authorized to appoint, by and with the advice and consent of the Senate, a commission to consist of 1 engineer from the Corps of Engineers of the United States Army, 1 officer of the Navy, who may be taken from the active or retired lists, and 1 engineer from civil life, said commission to have all the powers and duties conferred upon the commission provided for in said act.

This was the first Walker commission. Both of those commissions went into the field and made their reports. Before that time the Government of the United States had also, through the Secretary of the Navy, caused a survey to be made by Menocal and others of this canal, at a cost of \$400,000 or \$500,000, as I understand.

At the next session of Congress came on the Walker commission, and the following provision was made under the act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1899:

SEC. 3. That the President of the United States of America be, and he is hereby, authorized and empowered to make full and complete investigation of the Isthmus of Panama with a view to the construction of a canal by the United States across the same to connect the Atlantic and Pacific oceans; that the President is authorized to make investigation of any and all practicable routes for a canal across said Isthmus of Panama, and particularly to investigate the two routes known, respectively, as the Nicaraguan route and the Panama route, with a view to determining the most practicable and feasible route for such canal, together with the proximate and probable cost of constructing a canal at each of two or more of said routes.

And the President is further authorized to investigate and ascertain what rights, privileges, and franchises, if any, may be held and owned by any corporations, associations, or individuals, and what work, if any, has been done by such corporations, associations, or individuals in the construction of a canal at either or any of said routes, and particularly at the so-called Nicaraguan and Panama routes, respectively; and likewise to ascertain the cost of purchasing all of the rights, privileges, and franchises held and owned by any such corporations, associations, and individuals in any and all of such routes, particularly the said Nicaraguan route and the said Panama route; and likewise to ascertain the probable or proximate cost of constructing a suitable harbor at each of the termini of said canal, with the probable annual cost of maintenance of said harbors, respectively. And generally the President is authorized to make such full and complete investigation as to determine the most feasible and practicable route across said isthmus for a canal, together with the cost of constructing the same and placing the same under the control, management, and ownership of the United States.

I might stop right there, Mr. President, and insist with perfect security, I think, that this proposed appropriation of \$10,000 is to enable the President of the United States to carry out an existing law, which requires him to ascertain what claims are against or in favor of other persons upon either of those routes of communication; and also, it seems to me, perfectly palpable that when the Government has in three enactments upon appropriation bills entered into the subject of surveying and ascertaining the practicability and feasibility of a canal route, what is the cost of it, and what is to be the cost of harbors, and the like of that, it is a clear proposition that it is in order for a succeeding Congress to carry out that purpose by any additional legislation it may see fit in order to accomplish the great purpose of building this canal.

Heretofore, Mr. President, in a great many instances the Congress of the United States have had surveys made with a view to public improvements, and spent money to have surveys made for a great many rivers and harbors, and after the Congress had gone to that extent I have never heretofore heard the point of order made that the Congress could not proceed to make an appropriation to carry out that state of law.

Was that a state of law, Mr. President, or not? If it was a state of law, of course Congress can proceed with it to complete its purpose. The policy is not doubtful. There is nothing in the way now of a completion of this purpose, but to enable the

President, through this little appropriation, or without it, if you please—I put the appropriation into the amendment in order that it might be an appropriation, not because it is perhaps absolutely necessary—but is there any reason why Congress can not now go forward, and with the assistance of this little appropriation complete the work of examining and removing whatever difficulty there may be in the way of the completion of this canal?

The Walker commission have come in here; they have examined two routes—the Panama route and the Nicaragua route; they have made their preliminary report, which was sent in here by a message from the President. In that report there are full estimates of all the cost of constructing every part of this canal, and also of the Panama Canal; but they have decided, in their own recommendation, at least, that the Nicaragua is the preferred route, the best route. In fact, they have decided, as I understand their report, that the Panama route is not feasible within, at least, the limit of any reasonable cost.

I could rest right here on this point of order. I could rest on the doctrine stated to-day very correctly by the Senator from Ohio that this is not a general appropriation; it is an appropriation for a specific purpose, and not for a purpose that is general to the whole of the laws of the United States; but I do not care to rest upon that proposition, or any one proposition. I think that I have demonstrated that this appropriation, when made, will be to carry out a purpose that has been declared by law upon these three appropriation bills and has been executed at a very great expense—an expense of at least a million and three or four hundred thousand dollars.

Is that to be thrown away? Are we to abandon it, or is this case in such condition as that it can not be touched upon another appropriation bill? Why has Congress been making these surveys upon appropriation bills if we can not now, in obedience to express enactment of the last Congress, clear off these difficulties and these incumbrances?

And likewise to ascertain the cost of purchasing all of the rights, privileges, and franchises held and owned by any such corporations, associations, and individuals in any and all of such routes, particularly the said Nicaraguan route and the said Panama route.

This commission has gone forward and has ascertained and reported upon claims that are stated by others to be valid. The object of this amendment to this bill, however, is not to reach those claims at all; it is not to pay them, or to provide a fund to pay them, for they will have to undergo scrutiny before they can be paid, if they are ever paid, if they are lawful. But still they exist and are reported to this Senate, sent through the message of the President for our consideration.

This amendment, however, contains another very important feature, and it is this: The President of the United States has made the following contract with Costa Rica and Nicaragua:

Protocol of an agreement between the Governments of the United States and of Costa Rica—

I read from the Costa Rican contract—

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to the future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President is authorized by law—

I call the attention of the Senate to that language—

to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and operate a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements, in detail, found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

The President has made a preliminary agreement here with Nicaragua and Costa Rica by which certain rights are secured in the event that we authorize him by law to make that contract. If we do not authorize him by law to do so, that contract goes for nothing, it amounts to nothing, and the rights that have been acquired by this protocol of agreement are simply thrown away.

Before I proceed upon that point, I want to call the attention of the Senate to the question in regard to the value of these rights. Have we ever had with the States of Nicaragua and Costa Rica any rights by contract or by treaty, as the Government of the United States, to construct a canal through their country? We have had nothing of the kind, and we can not move in the direction of building a canal in Nicaragua and Costa Rica unless we do it by main force or else by agreement. The President has agreed with them, signed, sealed, and delivered an agreement; and in that agreement is the condition precedent that he shall be authorized by law to make it; and whenever he is authorized by law to make that agreement, then it becomes a binding obligation on Nicaragua and Costa Rica.

Until we get some agreement of that kind out of those two States it is utterly futile to talk about building a canal in Nicaragua or Costa Rica, or both of those States, until we have made up our minds that we intend to go down there, capture

those countries, and compel them, as a matter of conquest, to give us those rights. Those States have come forward, agreed to give us those rights, subject, of course, to treaty modifications hereafter to be made; but the main body of those rights is accorded to the Government of the United States under this convention.

I put a provision in the amendment, which I have read, that if those rights are acquired by contract they shall be submitted to Congress for its ratification, and if acquired by treaty they shall be submitted to the Senate for its ratification; so that the President can not make an agreement about this matter at all without bringing back the whole matter to the consideration of either Congress or the Senate, according to whether he shall acquire those rights by treaty or whether he shall acquire them by contract. To keep control of the matter—and it is very important that Congress should do it—the President can not do anything, can not take a step, except to abandon the situation that has thus by him been deliberately taken, unless the following stipulation is complied with by the Congress of the United States:

It is agreed between the two Governments that when the President is authorized by law to acquire control of such portion, etc.

That then those Governments will assent to it upon the terms and stipulations that will be made hereafter.

What is this agreement? It is what we call a convention. Will it be ratified by the Senate or by an act of Congress? For either body can do it. That depends, first, upon the question whether it shall have a legal existence. What is requisite to give it legal existence? The assent of the Congress of the United States that the President may enter into such a contract with Nicaragua and Costa Rica.

Why did the President make this convention, this agreement? Was it simply to be abandoned? Was it a mask? Is it to be abandoned now without question? We compel the President to abandon it if we withhold our assent to it, if we do not confer upon him power to make it, for the reason that Nicaragua and Costa Rica put that provision in the contract itself.

Now the Senate of the United States is called upon to say finally and forever, so far as this matter is concerned, whether they are willing to empower the President of the United States to do what that contract requires him to do. That is what we have got to say now about it, and that is all that is asked here. There is a provision that when the President makes this agreement, either by treaty or by contract, he must bring it back to Congress for their approval.

Mr. President, under Rule XVI—

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

There are treaty stipulations. If an existing law applies to a private claim, of course it applies with less force to a public claim, a claim of the right of the Government of the United States to go on and provide for a matter of this kind.

I am perfectly aware that there are Senators on this floor who are sensitive about this matter, but there is no occasion for any sensitiveness—not a particle. When the President is empowered to execute that agreement, he is empowered to do everything that lies in his constitutional right as President of the United States of a diplomatic nature; and if there is any government, like Great Britain, that claims the right to interfere with the action that Congress has taken here to-day, what is to prevent him under this bill from going on negotiating with Great Britain about that right? There is nothing at all. That matter is conjured up in the minds of gentlemen for the purpose of alarming themselves out of their duty as well as their propriety, it seems to me.

It is said that this business results from the fact that there are three more days remaining, or parts of three days remaining, one of them a holiday—the Christian Sabbath—during which the Government of Great Britain has the right to pass upon certain amendments that the Senate of the United States sent to Great Britain upon the Hay-Pauncefote treaty, and that is the only shadow that is in the way of this proceeding. If we pass this act, Great Britain can not find in its spirit or purpose any reason in the world for taking offense, unless she can really find it in the fact that these protocols of agreement were made by the President of the United States without her consent.

Was it contrary to the Clayton-Bulwer treaty that the President of the United States should make this agreement with Nicaragua and Costa Rica? Has this Government been placed in that attitude where our President has lost his constitutional power to make these agreements with Costa Rica and Nicaragua? If so, Mr. President, it is a very humiliating thing that the President of the United States should undertake to do a thing like this. He had a right to do it. Great Britain has no right to complain because all of the Presidential power still remains with him to negotiate and decide or agree with Great Britain as to any matter that may possibly affect their rights, claims, interests, feelings, or sensibilities.

Is not that all true? Is it not shown on the face of this amendment, and is it not true, that the President of the United States has entered into these agreements? What are we to do with them? It will not do for him to go and say to Nicaragua, "The Congress of the United States would have consented to give me this power, would have consented for me to make these agreements with you, but Great Britain objected, or somebody objected for Great Britain," for as yet we have heard of no objection from Great Britain. Great Britain has made no objection, so far as our Department of State is advised or so far as the Congress of the United States is advised.

It will not do to rest this case upon the ground that the President of the United States had no right and no business to make these agreements unless he felt that he had the authority to do it; and now for us to refuse to consent that he may have the authority to make such agreements is simply for us to turn the back of our hand to him and say: "You have violated your constitutional duty and your sense of propriety in making this agreement—this protocol—with Costa Rica and Nicaragua."

I therefore claim, Mr. President, that this amendment is justified by the state of the law in the United States, by the fact that we have dealt with this question on three appropriation bills in succession, by the proposition that it is not new legislation. It is not now new matter; it is not general legislation. It applies only to a specific purpose which Congress has itself adopted, and it is in order. It also is covered by the provision in the last clause of that treaty, which expressly reserves existing laws and existing stipulations of treaty out of this rule.

Is there nothing of treaty in this country except what has been ratified by the Senate? If, even upon what we know here to-day, it is necessary, in our opinion, for us to vote money for the purpose of assisting in the defense of our legations in China, or for any purpose connected with what is going on in China, we will be bound to do it, as we would have a right to do it, because what has occurred in China has occurred through the exercise of the diplomatic power of the President of the United States. We have made one treaty with China, and that, too, binds us.

Some of my colleagues on this side of the Chamber and on the other, perhaps, do not agree with me about that, that what the President of the United States has done in China binds the Government. It does bind it, and yet we have never had the terms of a treaty sent to us. We have had no communication from the State Department or from the President of the United States to show that we have made any agreement with the Chinese people at all. Yet men are having their heads cut off under a diplomatic agreement that we have made there. We are bound by it. We can not get rid of it, and do not want to get rid of it. There may be those who disapprove of it, but that is quite a different thing from denying the authority to make it.

I do not know, Mr. President, that I care to argue this question more fully on the point of order. I regret very much indeed that the Senator has made the objection. I think if there is any one case in which unanimous consent ought to apply—we seem to-day to have resorted to that way of getting rid of our rules—it ought to be in a matter in which the Government of the United States is so immensely concerned and upon which the people are so anxious to have a start made. If we abandon these protocols on this vote to-day, by ruling that the Senate of the United States has no power to act, or that it can not act upon this bill, then they go by the board. I suppose there will be some people who will be delighted with that, but the President of the United States ought not to be satisfied with it, when he himself has put the provision in the contract that it requires the assent of Congress to enable him to make this agreement.

The PRESIDING OFFICER (Mr. ALDRICH in the chair). The amendment offered by the Senator from Alabama proposes a new item to the appropriation bill. It is not offered or recommended by any standing or select committee—

Mr. MORGAN. It has been recommended by a standing committee.

The PRESIDING OFFICER. It does not appear that this amendment was offered by a standing or select committee.

Mr. MORGAN. It was.

The PRESIDING OFFICER. That does not appear upon its face.

Mr. MORGAN. It is recommended by a standing committee, and was sent to the Committee on Appropriations, and they have passed upon it.

The PRESIDING OFFICER. Nothing to that effect appears on the paper.

Mr. MORGAN. That may be, but that is the fact. It is so recommended.

The PRESIDING OFFICER. When was it reported from the committee?

Mr. MORGAN. The records here will show. It has been three weeks ago, at least; perhaps four.

The PRESIDING OFFICER. The amendment as now offered?

Mr. MORGAN. No; not exactly in the words now offered, but the body of the same amendment.

The PRESIDING OFFICER. Was the item of appropriation in it?

Mr. MORGAN. There was an indefinite appropriation in it, and I reduced that to \$10,000.

I desire to say this to the Senate. I did not want to put a definite appropriation in here, for the reason that we are dealing with Nicaragua and Costa Rica. Suppose I had put in \$5,000,000 or \$10,000,000. They would have grabbed every cent of it, or perhaps they might have done so if I had put in a million dollars. The better plan is to have only enough appropriation to enable the President to send his commission there to deal with these questions, rather than to have a large appropriation here which might be a temptation to them to make demands upon us. I do not believe that those nations ought to charge us one single cent for the work we are doing, and I hope when they come to a proper knowledge of what is their interest and welfare they will not.

I did not want to place any temptation in the bill. So, when the bill was introduced with an indefinite appropriation, I thought it was better to reduce the sum so that there would be no temptation in it at all, and give the President only money enough to enable him to pay the expenses of the commissioners that he might find necessary to send to Nicaragua and Costa Rica.

The PRESIDING OFFICER. Without stopping to consider the question whether or not this amendment has been reported from a standing or select committee, the Chair sustains the point of order on the ground that it is general legislation.

Mr. MORGAN. I appeal from the decision of the Chair.

The PRESIDING OFFICER. The Senator from Alabama appeals from the decision of the Chair.

Mr. MORGAN. I wish to know if this matter is now open to argument?

Mr. GALLINGER. Yes.

The PRESIDING OFFICER. It is, within a reasonable limit.

Mr. MORGAN. Never mind about my limit; I will take care of my limit.

The PRESIDING OFFICER. The Chair will listen to the Senator from Alabama.

Mr. MORGAN. I ask the Senate to listen to the argument. It is not for the Chair to decide.

The PRESIDING OFFICER. In the first instance it is for the Chair to decide.

Mr. MORGAN. The Chair has decided, and I now appeal to a different body.

The PRESIDING OFFICER. The Senator from Alabama appeals from the decision of the Chair upon this question.

Mr. MORGAN. To the Senate—

The PRESIDING OFFICER. Will the Senator from Alabama allow the Chair to state the question?

Mr. MORGAN. Yes.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate; on which the Senator from Alabama is entitled to the floor.

Mr. HOAR. I rise to ask unanimous consent of the Senate to put in an amendment, to which I think there will be no objection. Does the Senator from Alabama object to my asking consent now, and then going on with his argument?

Mr. MORGAN. On a different subject?

Mr. HOAR. On a different subject entirely.

Mr. MORGAN. So I do not lose the floor, I do not care.

Mr. HOAR. Unless it is entirely agreeable to the Senator I will not make the request.

Mr. MORGAN. I do not want to lose the floor on this amendment.

Mr. HOAR. No; I understand. The Senator does not lose the floor. I only ask that he allow me to make this request. If it takes more than a minute I will withdraw it.

Mr. MORGAN. I yield to the Senator from Massachusetts without yielding the floor.

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. MORGAN. I do for this particular purpose.

Mr. HOAR. I ask unanimous consent for the adoption of an amendment which has already been passed by the Senate at the present session. May I be allowed to say in one word that it is an amendment for the site and pedestal for the Longfellow statue, which is to be paid for by a corporation or an association of which the Chief Justice of the United States is president?

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that an amendment offered by him may be adopted. It will be read for information.

The SECRETARY. It is proposed to insert the following:

Statue of Henry Wadsworth Longfellow: For the preparation of a site and the erection of a pedestal for a statue of the late Henry Wadsworth Longfellow in the city of Washington, said site to be selected by and said pedestal to be approved by the chairman of the Joint Committee on the Library and the chairman of the Longfellow Memorial Association, \$4,000, to

be expended under the direction of the officer in charge of public buildings and grounds: *Provided*, That said statue shall not be located in the grounds of the Capitol or Library of Congress.

The PRESIDING OFFICER. Is there objection to the adoption of the amendment proposed by the Senator from Massachusetts? The Chair hears none, and it is so adopted.

Mr. ALLISON. The amendment should be inserted on page 143.

Mr. MORGAN. Senators seem to have abandoned the Chamber. They have gone in search of dinner, or something of that kind, I suppose. I was about to suggest, if the Senate is willing, that we take a recess until 8 o'clock. Has any notice been given that the Senate would proceed in that order?

Mr. ALLISON. I desire to suit the convenience of the Senate. I had hoped that before 8 o'clock we could complete the bill.

Mr. HALE. We do not want a night session.

Mr. ALLISON. It is desired to avoid a night session if possible.

Mr. MORGAN. I would very much prefer—

Mr. ALLISON. I hope we can go right on, unless there is some reason personal to the convenience of the Senator—

Mr. JONES of Arkansas. The Senator from Alabama does not wish to go on to-night; and he proposes to be heard on this question, I understand. It seems to me, under the circumstances, it would be better to take a recess until 8 o'clock.

Mr. ALLISON. I hope we will go right on.

Mr. MORGAN. Does the Senator from Iowa say we must go right on?

Mr. ALLISON. I say I hope so. I of course submit to the Senate. If it desires to take a recess, very well.

Mr. MORGAN. I move that the Senate do now adjourn; and on that I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama that the Senate adjourn. The motion was rejected.

Mr. JONES of Arkansas. The Senator from Alabama asked for the yeas and nays on the motion to adjourn.

Mr. HOAR. Will the Senator from Alabama allow me to make a suggestion for his convenience and that of others? I ask unanimous consent to make a suggestion simply.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none.

Mr. HOAR. I wish to ask the Senator from Iowa a question. This is a very important matter, and the Senator from Alabama, as we all recognize, knows more about it than any of the rest of us. My suggestion is, whether we could not have an agreement to go on and finish the rest of this bill to-night, and then let it stand over until morning for the purpose of dealing with the amendment of the Senator from Alabama alone, and let him then address the Senate on it.

Mr. MORGAN. I should be very glad to do that. I am willing to limit my remarks to-morrow morning to half an hour.

Mr. HOAR. Would not that be agreeable?

The PRESIDING OFFICER. Is there objection to the suggestion made by the Senator from Massachusetts?

Mr. ALLISON. If it can be agreed to that immediately after the reading of the Journal to-morrow we can take up the matter and dispose of it by 1 o'clock and then go on and dispose of the remainder of this bill—

Mr. HALE. If the Senator will allow me—

The PRESIDING OFFICER. The Senator from Iowa is entitled to the floor.

Mr. MONEY. I desire to say something in regard to the proposition of the Senator from Iowa, which is that I gave notice to-day that I would take the floor after the routine business to-morrow in order to reply to the Senator from North Carolina [Mr. PRITCHARD].

The PRESIDING OFFICER. The Chair understood that the notice of the Senator from Mississippi was for 1 o'clock.

Mr. MONEY. One o'clock? Whatever it is.

Mr. HOAR. The Senator from Alabama says he will speak only half an hour after the reading of the Journal to-morrow morning.

Mr. HALE. If the suggestion of the Senator from Massachusetts can be adopted, the Senator from Iowa can go on and finish the bill, I have no doubt, in an hour.

Mr. HOAR. To-night?

Mr. HALE. To-night.

Mr. TELLER. To-night.

Mr. HALE. And nothing will be left except the amendment proposed by the Senator from Alabama, and then let that be taken up in the morning.

The PRESIDING OFFICER. The pending question, the Chair will state to the Senator from Maine, is on the appeal from the decision of the Chair.

Mr. HALE. Undoubtedly the unanimous consent will include that. The whole thing goes over until morning. In the meantime we can finish the rest of the bill, taking up only this item in

the morning, and save Senators a night session, which nobody wants.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. PETTIGREW. I object.

The PRESIDING OFFICER. The Senator from South Dakota objects.

Mr. PETTIGREW. I shall object to all requests for unanimous consent until I have a vote upon the resolutions I offered to-day. They were talked out. Two hours was spent talking them out. I shall insist upon a vote on those resolutions, and shall object to requests for unanimous consent until they are voted on.

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from Alabama that the Senate adjourn.

Mr. ALLISON. I hope the Senator from Alabama will withdraw the motion to adjourn, and I will then move that the Senate take a recess until 8 o'clock this evening. That was the original suggestion of the Senator from Alabama. I had hoped we could finish this bill at an early hour, but I see it is impossible.

Mr. MORGAN. I withdraw my motion.

The PRESIDING OFFICER. Does the Senator from Alabama withdraw the motion to adjourn?

Mr. MORGAN. I did. I said so.

Mr. ALLISON. Then I move that the Senate take a recess until 10 minutes after 8—a recess of about two hours.

The motion was agreed to; and (at 6 o'clock and 12 minutes p. m.) the Senate took a recess until 8 o'clock and 10 minutes p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock and 10 minutes p. m.

REPORTS OF A COMMITTEE.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 5929) for the relief of the heirs of the late Charles P. Culber, reported it without amendment and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 628) for the relief of Hamilton M. Sailors, reported it without amendment.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia."

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3288) for the relief of Daniel Coonan.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 14017) making appropriation for the support of the Army for the fiscal year ending June 30, 1902.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (S. 5935) to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.;

A bill (S. 6012) to provide an American register for the steam yacht *May*;

A bill (S. 6054) authorizing the Texas and Pacific Railway Company to construct a bridge across Red River, Louisiana;

A bill (H. R. 12396) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided by said act;

A joint resolution (S. R. 164) giving the Commissioners of the District of Columbia authority to provide for the public comfort; and

A joint resolution (H. J. Res. 306) concerning printing of additional copies of the annual report of the Geological Survey.

HOURS OF LABOR ON GOVERNMENT WORK.

Mr. PETTIGREW. I offer a resolution, and ask that it be read, and lie over until to-morrow.

The PRESIDENT pro tempore. If there be no objection the resolution will be received.

The resolution was read, as follows:

Resolved, That the Committee on Education and Labor be discharged from the further consideration of H. R. 6882, an act limiting the hours of daily

service of laborers and mechanics employed upon work done for the United States or any Territory or the District of Columbia, thereby securing better products, and for other purposes.

The PRESIDENT pro tempore. The resolution will go over under the rule.

SAFETY APPLIANCES ON RAILROADS.

Mr. PETTIGREW. I offer a resolution, and ask that it may go over until to-morrow.

The PRESIDENT pro tempore. If there be no objection, the resolution will be received.

The resolution was read, as follows:

Resolved, That the Committee on Interstate Commerce be discharged from further consideration of H. R. 10302, an act to amend an act to promote the safety of employees, and so forth, by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, and so forth, approved March 2, 1893.

The PRESIDENT pro tempore. The resolution will go over under the rule.

UNIFORMS OF NAVAL OFFICERS.

Mr. ALLEN. I introduced a resolution of inquiry this morning, and I understand the Senator from New Hampshire withdraws his objection to it. I should like to have it considered.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HOAR. Let the resolution be read for information.

The resolution was read, as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate if commissioned officers in the naval service promoted from the ranks are in any respect debarred the use of the uniform and other privileges of commissioned officers of the Navy; whether there is any distinction in the insignia of office of such officers and the officers graduates of the Naval Academy; and if so, why, and what steps are being taken, if any, to permit this class of officers to wear the regular insignia and uniform of the naval officers graduated at the Naval Academy.

Mr. CHANDLER. I am not going to object to the resolution, and only desire to say that the Senator from Nebraska will not find that there is any foundation for making the inquiry. All the officers of the same grade wear the same uniform, but the graduates of the Naval Academy become ensigns and officers in the Marine Corps. The officers to whom the Senator refers are warrant officers, and of course they do not wear the same uniform that ensigns and lieutenants in the Marine Corps wear; but they all wear the prescribed uniform for their grade, and the Senator will get nothing by his resolution.

Mr. ALLISON. I ask that the resolution may lie over, and I call for the regular order.

The PRESIDENT pro tempore. The Senator from Iowa objects to the resolution. It will take its place on the table.

Mr. ALLISON. I will allow the resolution to pass if the Senator from New Hampshire and the naval people are willing, and then I shall call for the regular order.

The resolution was considered by unanimous consent, and agreed to.

E. H. McELHENNY.

Mr. McENERY submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and hereby is, directed to examine the petition, account, and evidence of E. H. McElhenny for expenses incurred and services rendered by him in rescuing, housing, feeding, clothing, and caring for shipwrecked sailors in the Arctic Ocean in the years 1897 and 1898, and to make a report to Congress at its next session, stating the result of his examination and what sum he considers adequate and proper to be paid to said McElhenny for such expenses and services.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes.

Mr. CLAPP. I have the permission of the Senator from Alabama to submit the amendment which I send to the desk to the bill under consideration, and I ask unanimous consent that it may be incorporated as an amendment to be inserted at the end of line 19, on page 9.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent for the present consideration of an amendment to the pending bill.

The SECRETARY. At the end of line 19, on page 9, it is proposed to insert:

Post-office, court-house, and custom-house, St. Paul, Minn.: For extension of limit of cost of site and building from \$1,050,000 to \$1,150,000. That so much of the provisions of the act of Congress entitled "An act for the erection of a public building at St. Paul, Minn.," approved February 16, 1891, as authorized the Secretary of the Treasury, after the completion of the new United States post-office, court-house, and custom-house building, to sell and convey the present property of the United States in said city now occupied as a court-house, custom-house, and post-office, and of the act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes," approved July 1, 1898, as directs the Secretary of the Treasury to cause suitable accommodations to be provided in the new United States post-office, court-house, and custom-house building for all officials of the United States located in said city who are entitled to quarters in public buildings, are hereby repealed; and the Secretary

of the Treasury is hereby authorized and directed to retain the custody and control of the property of the United States in said city now occupied as a court-house, custom-house, and post office, to rearrange and remodel the same as may be necessary for public business, and to assign the space therein to such officials located in said city who are entitled to offices in public buildings as in his judgment shall be proper; and that all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

Mr. CLAPP. I ask unanimous consent that this may be incorporated as an amendment, upon this ground: Some years ago the Federal Government undertook the building of a court-house and post-office at St. Paul. It soon became manifest that the old building would still be required. The Secretary of the Treasury has recommended the retention of the old building. This amendment has been recommended by the Committee on Public Buildings and Grounds, and I understand that the Senator from Iowa, who has in charge the bill under consideration, has no objection to it. Therefore, I ask unanimous consent that it may be accepted as an amendment.

Mr. ALLISON. I do not object to the amendment, although I think it is not necessary, and I will allow it to go in. It does not change existing law, I believe. The Secretary recommends it, and I am perfectly willing that it may go in, as it does not change the existing law in any way.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Minnesota.

The amendment was agreed to.

Mr. MONEY. I desire to offer an amendment to this bill, to come in—I suppose a good place would be on page 4, after the fifth line.

The PRESIDENT pro tempore. Will the Senator from Mississippi pardon the Chair for a moment? What was the understanding at the time the recess was taken? There was pending an appeal from the decision of the Chair.

Mr. ALLISON. I understand that appeal is now pending.

Mr. MORGAN. Is the appeal now before the Senate?

The PRESIDENT pro tempore. The appeal is before the Senate, and the question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. MORGAN. I do not desire to discuss the appeal in the absence of Senators. I would rather know whether they are here or not.

Mr. TELLER. What was the ruling of the Chair?

The PRESIDENT pro tempore. That the amendment offered by the Senator from Alabama [Mr. MORGAN] was out of order.

Mr. HOAR. Let the amendment be read so far as to show its character, so that Senators who were not present when the appeal was taken may understand it.

Mr. TELLER. I was here, but there was so much confusion in the Chamber that I could not tell what happened.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert at the end of the bill the following:

That the President of the United States be, and is hereby, authorized to acquire from the States of Costa Rica and Nicaragua, subject to the approval of Congress, if such rights are acquired by contract, or by the Senate, if such rights are acquired by treaty, for and in behalf of the United States, control of such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary on which to excavate, construct, and protect a canal of such depth and capacity as will be sufficient for the movements of ships of the greatest tonnage and draft now in use, from a point near Greytown, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, and in substantial accordance with the subsisting conventions with Nicaragua and Costa Rica in the words following, the agreement with each of said States being in identical terms:

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements in detail, found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal. And the sum of \$10,000 is hereby appropriated for these purposes, to be immediately available.

Mr. COCKRELL. I ask unanimous consent that the amendment, as it will lead to discussion, may be temporarily laid aside, and some other amendments considered first. I hope the Senator from Alabama will consent to that.

Mr. MORGAN. I have no objection to consenting to that, but I do not want to be thrown away down into midnight.

Mr. COCKRELL. Oh, no. It is only for a short time—at the will of the Senator.

Mr. MORGAN. Very well.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the appeal and the amendment be temporarily laid aside. Is there objection? The Chair hears none.

Mr. MONEY. I desire to offer an amendment, to be inserted on page 4, after line 5. The amendment is favorably reported by the

Committee on Public Buildings and Grounds, and is recommended by the Attorney-General, and has passed the Senate once before.

The PRESIDENT pro tempore. The Senator from Mississippi offers an amendment, which will be read.

The SECRETARY. It is proposed to insert, after line 5, on page 4:

For the purchase of the property known as the Corcoran Art Gallery, in the city of Washington, D. C., \$332,500, and the Secretary of the Treasury be, and he is hereby, empowered and directed to acquire for and in the name of the United States, for the purpose hereinafter provided, the following-described real estate, with the improvements thereon, known and designated as original lots Nos. 5, 6, 7, and 8, in square 167, in the city of Washington, D. C., and containing 17,733 square feet, lying and being at the corner of Pennsylvania avenue and Seventeenth street NW., fronting on Pennsylvania avenue 106 feet and on Seventeenth street 160 feet, and being the property of the Corcoran Gallery of Art. Said property to be used by the Court of Claims, or for such other purposes as may be determined: *Provided*, That the same can be secured for a sum not exceeding \$332,500; and so much of the act entitled "An act to provide for the erection of a building for the Department of Justice," approved March 3, 1899, as provides "that said building shall be constructed so as to provide a court room and necessary accommodations for the Court of Claims," be, and the same is hereby, repealed.

Mr. ALLISON. What did the Senator from Mississippi ask as to this amendment?

Mr. MONEY. I ask that it be adopted as an amendment.

Mr. ALLISON. I shall object to it at the present moment. Let it lie over for the present.

Mr. MONEY. I could not hear the Senator from Iowa.

Mr. ALLISON. I asked the Senator to let it lie by for the present.

Mr. MONEY. Without prejudice?

Mr. ALLISON. Certainly.

Mr. MONEY. I have no objection.

Mr. GALLINGER. I submit an amendment that has been favorably reported by the Committee on the District of Columbia and referred to the Committee on Appropriations. I move that it be inserted after line 4, page 39.

The SECRETARY. On page 39, after line 4, it is proposed to insert the following:

For the purchase by the Commissioners of the District of Columbia of the land necessary to provide a park way connecting Rock Creek park with Connecticut avenue between Klinge Ford road and Pierce Mill road, not less than 17 acres in area, \$125,000: *Provided*, That the streets laid down on the highway extension plans abutting the ground selected for said park way shall be dedicated to the District of Columbia before any of the appropriation hereby made shall be expended: *And provided further*, That one-half of the amount herein appropriated be paid from the revenues of the District of Columbia.

Mr. ALLISON. I hope the amendment will not be agreed to. That was considered by the Committee on Appropriations on the District of Columbia appropriation bill. It properly belongs there, and I trust the Senator from New Hampshire, under the circumstances, will not press it at this time.

Mr. GALLINGER. The amendment was more carefully considered by the Committee on the District of Columbia than it possibly could have been by the Committee on Appropriations. The Committee on the District of Columbia, or a majority of them, closely investigated this property, and came to the conclusion that it ought to be purchased in connection with the magnificent park that we have dedicated to the uses of the country. It is the only decent approach that there is to the park. It is a magnificent property. The present owner has expended \$40,000 on it, which is practically given to the Government if we make the purchase. The value of the property is undisputed. It ought by all means to be purchased at the present time as a matter of economy.

In a letter addressed to the chairman of the Committee on the District of Columbia by Capt. Lansing H. Beach, of the Corps of Engineers, a member of the Board of District Commissioners, attention is called to the fact that Mr. William P. Richards, engineer in charge of highway extensions, who has, according to Captain Beach, as much knowledge of values as anyone in the District, estimates it to be worth 30 cents per square foot. He estimates that the 17 acres suggested for park purposes are worth from \$4,000 to \$12,000 per acre. Then Commissioner Beach says:

When the condition of dedication of streets is taken into account it is believed that the price at which the land is offered—\$125,000—is quite reasonable. This would be for the purchase of 17 acres conditioned on the donation of 6½ acres more, or 23½ acres in all, which would make the cost about \$5,375 per acre. It is known that the portion of the land immediately adjoining Connecticut avenue could be sold for from 50 to 60 cents per square foot.

If we deduct the \$40,000 which it is conceded Mr. Waggaman has expended on that property, it is to cost the Government \$85,000, or \$5,375 an acre, when Mr. Richards, who is acknowledged by everybody to be as good a judge of property as there is in the District, and who is not engaged in the purchase or sale of real estate, estimates it to be worth from four to twelve thousand dollars an acre, an average of \$8,000 an acre.

I venture to say that if Senators could examine the map that I have here, which they can not do to-night, and see the location of this land as I have done, and as almost every member of the District Committee has done, making a personal visit to it, I feel sure that there would be no vote in opposition to this amendment. It has been given very careful consideration by the committee that is supposed to take a little more interest in the affairs of this

District than any other committee of this body, including the Committee on Appropriations.

I hope, Mr. President, that the amendment will become a part of the bill.

Mr. STEWART. I want to appeal to the chairman of the committee not to object to this amendment. I have been out there to see this land. It is manifest that the District would buy it and buy it in any near time in the future at a very much increased price. It seems to me absolutely essential for the entrance to the park. Although very familiar with that part of the District, until it had been developed and streets laid out I had no conception of the importance of the acquisition of this land. If we are going to have a national park it will be bought of course, and now it can be bought cheaper than at any other time.

I hope the chairman will allow a proposition so manifestly important as this to go through. It is one of those things that ought to be adopted now, and not have the park clogged up by one or two entrances of the park that would have been very much more improved if bought earlier. I think a postponement means more expense and perhaps a blocking up of the park in every direction.

Mr. ALLISON. All I have to say respecting the amendment is that this question was thoroughly and carefully considered by the Committee on Appropriations. I personally visited the land proposed to be purchased. It is a desirable purchase in very many respects, but the appropriations for the District of Columbia have far exceeded the appropriations for the District in many years. Indeed, I believe there never have been such large appropriations before, and it seems to me that this, like many other necessary things, must be postponed. But if the Senate desires to put it upon the bill, I shall be content with its action.

Mr. ALLEN. Mr. President, I do not think I can be charged with favoring the District of Columbia, or appropriations for it, to any considerable extent. I am in favor of economical appropriations for this District and for this city. I know no reason why the Government should be more liberal with the city of Washington than it is with any other city in the United States aside from beautifying the Capitol and other public grounds.

I have had occasion to go over this ground several times within the last four or five years. It is a delightful ground, as no doubt all Senators here know by having traveled through it and over it. I believe this appropriation is wise and just. I believe to make this appropriation to-day will save the Government of the United States probably three or four hundred thousand dollars within the next two or three years in the purchase of this identical ground.

For that reason I trust the chairman of the Committee on Appropriations will not resist the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment. [Putting the question.] By the sound the "ayes" have it.

Mr. ALLISON. I feel constrained to ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered.

Mr. BUTLER. Let the amendment be read.

The PRESIDENT pro tempore. It will be again read.

The SECRETARY. On page 39, after line 4, insert:

For the purchase by the Commissioners of the District of Columbia of the land necessary to provide a park way connecting Rock Creek Park with Connecticut avenue between Klinge Ford road and Pierce Mill road, not less than 17 acres in area, \$125,000: *Provided*, That the streets laid down on the highway extension plans abutting the ground selected for said park way shall be dedicated to the District of Columbia before any of the appropriation hereby made shall be expended: *And provided further*, That one-half of the amount herein appropriated be paid from the revenues of the District of Columbia.

Mr. BUTLER. Mr. President, I have heard several Senators express the opinion that if the Government did not buy this land now, we would have to pay one hundred thousand or two hundred thousand or three hundred thousand dollars more for it within a few years. If that were true the men who own the land, and who know more about real estate than Senators, would not sell it now at that price.

Mr. GALLINGER. I did not say that.

The PRESIDENT pro tempore. The yeas and nays having been ordered, the roll will be called on agreeing to the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER].

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS]. In his absence, I withhold my vote. If he were present, I should vote "nay."

Mr. CLAY (when his name was called). I am paired with the junior Senator from Massachusetts [Mr. LODGE]. Were he present, I should vote "nay."

Mr. HANNA (when his name was called). I am paired with the Senator from Utah [Mr. RAWLINS], and withhold my vote.

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT], and withhold my vote.

Mr. McLAURIN (when his name was called). I have a general pair with the Senator from North Carolina [Mr. PRITCHARD].

In his absence, I withhold my vote. If he were present, I should vote "nay."

Mr. MARTIN (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM]. In his absence, I withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. SPOONER (when his name was called). I am paired with the Senator from Tennessee [Mr. TURLEY]. I do not know how he would vote, and I withhold my vote.

Mr. MALLORY (when Mr. TALIAFERRO's name was called). My colleague [Mr. TALIAFERRO] is unavoidably absent. I do not know how he would vote if he were here.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON]. In his absence, I withhold my vote.

Mr. WARREN (when his name was called). I am paired with the Senator from Washington [Mr. TURNER]. I do not see him in the Chamber. If he were present, I should vote "nay."

The roll call was concluded.

Mr. CLARK. I have a general pair with the Senator from Kansas [Mr. HARRIS]. Not knowing how he would vote, I withhold my vote. If he were present, I should vote "nay."

Mr. NELSON (after having voted in the negative). I have a general pair with the junior Senator from Missouri [Mr. VEST]. I suggest to the Senator from South Carolina [Mr. TILLMAN] that we transfer our pairs and both vote.

Mr. TILLMAN. That is agreeable to me.

Mr. NELSON. Under the transfer the Senator from Missouri [Mr. VEST] and the Senator from Nebraska [Mr. THURSTON] will stand paired. I have voted.

Mr. TILLMAN. I vote "yea."

Mr. BACON. In the absence of the junior Senator from Rhode Island [Mr. WETMORE] I withhold my vote. I have a general pair with that Senator.

Mr. SCOTT. I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO]. I will transfer that pair to the junior Senator from Massachusetts [Mr. LODGE] so that the Senator from Georgia [Mr. CLAY] and I can vote, if that is agreeable to the Senator from Georgia.

Mr. CLAY. Then the junior Senator from Massachusetts [Mr. LODGE] will stand paired with the junior Senator from Florida [Mr. TALIAFERRO]. I am willing.

Mr. SCOTT. I vote "yea."

Mr. CLAY. I vote "nay."

Mr. HANNA. I transfer my pair with the Senator from Utah [Mr. RAWLINS] to the Senator from Kansas [Mr. BAKER] and I vote "nay."

Mr. MONEY. I have a general pair with the Senator from Oregon [Mr. MCBRIDE], which I transfer to the Senator from Kansas [Mr. HARRIS], who is paired with the Senator from Wyoming [Mr. CLARK], so as to enable the Senator from Wyoming and myself to vote. I vote "nay."

Mr. CLARK. I vote "nay."

Mr. THURSTON (after having voted in the negative). I understand that my pair has been transferred so that I stand paired with the Senator from Missouri [Mr. VEST], and I withdraw my vote.

The result was announced—yeas 16, nays 29, as follows:

YEAS—16.

Allen,	Gallinger,	McMillan,	Scott,
Chandler,	Hansbrough,	Mallory,	Stewart,
Dillingham,	Jones, Nev.	Pettigrew,	Teller,
Frye,	McCumber,	Proctor,	Tillman.

NAYS—29.

Allison,	Culberson,	Jones, Ark.	Platt, Conn.
Bard,	Cullom,	Kean,	Sewell,
Berry,	Daniel,	Kearns,	Shoup,
Butler,	Dolliver,	Lindsay,	Simon,
Carter,	Fairbanks,	McComas,	Sullivan.
Clark,	Hanna,	Money,	
Clay,	Hawley,	Nelson,	
Cockrell,	Hoar,	Pettus,	

NOT VOTING—43.

Aldrich,	Elkins,	McLaurin,	Spooner,
Bacon,	Foraker,	Martin,	Taliaferro,
Baker,	Foster,	Mason,	Thurston,
Bate,	Hale,	Morgan,	Turley,
Beveridge,	Harris,	Penrose,	Turner,
Burrows,	Heitfeld,	Perkins,	Vest,
Caffery,	Kennedy,	Platt, N. Y.	Warren,
Chilton,	Kyle,	Pritchard,	Wellington,
Clapp,	Lodge,	Quarles,	Wetmore,
Deboe,	McBride,	Quay,	Wolcott.
Depew,	McEnery,	Rawlins,	

So Mr. GALLINGER's amendment was rejected.

Mr. DANIEL. I desire to offer an amendment to the first section of the amendment of the Senator from Indiana [Mr. FAIRBANKS], the report of the Committee on the Revision of the Laws, as to the codification of the general laws of the United States. The words that I desire to insert are written in the amendment

which I offer. I ask the Secretary to read the whole, so as to see how it would read with the words inserted. I will call attention to my amendment after he has finished the reading.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

That the commissioners heretofore appointed in pursuance of an act of Congress entitled "An act making appropriations for sundry civil expenses of the government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897, to revise and codify the criminal and penal laws of the United States, together with two additional commissioners whom the President is hereby authorized to appoint, by and with the advice and consent of the Senate, be, and they are hereby, directed to revise and codify, in accordance with the terms and provisions of said act and the acts supplementary thereto all laws of the United States of a permanent and general nature in force at the time when the same shall be reported: *Provided*, That not more than three of the said commissioners shall be of the same political party.

Mr. DANIEL. The only changes which the amendment which I offer would make in the text of the bill as it now is are contained in these words:

Together with two additional commissioners, whom the President is hereby authorized to appoint, by and with the advice and consent of the Senate.

And the additional words at the end of the section:

Provided, That not more than three of the said commissioners shall be of the same political party.

I desire to say that I submitted this amendment to the chairman of the Committee on the Revision of Laws, and he stated that he had no objection to it.

Mr. ALLISON. May I ask a question of the Senator from Indiana? I understood the Senator from Indiana [Mr. FAIRBANKS], by unanimous consent, to have inserted something upon this same subject during the day.

Mr. FAIRBANKS. The amendment which I offered was adopted this afternoon. The Senator from Virginia happened to be absent from the Chamber when the amendment was offered.

Mr. ALLISON. If we are to modify and change all these amendments that go on the bill by unanimous consent, we shall never get through with the bill.

Mr. DANIEL. I happened to be out of the Senate Chamber about three minutes. I had been watching this matter all day, and I gave the closest attention to it.

Mr. ALLISON. What is the effect of the amendment proposed by the Senator from Virginia?

Mr. DANIEL. I will explain it. There are now three commissioners who were appointed to revise and codify the criminal laws of the United States. They have not yet made their report of the codification. Since their appointment they have had other legal tasks of the same description imposed upon them by Congress. It is proposed by the amendment to this bill which was offered by the Senator from Indiana, as I understand, to make it the duty of these three commissioners to revise and codify all of the general statutes of the United States—those that are of a permanent and general nature.

Mr. ALLISON. The substance of what the Senator proposes is to add two commissioners.

Mr. DANIEL. The amendment which I offered is to make a commission of five, and to make it a commission not entirely composed of one party.

Mr. ALLISON. That is right enough. Now, does the amendment of the Senator contemplate changing some one of the three commissioners?

Mr. DANIEL. None. It retains them.

Mr. ALLISON. Very well.

Mr. DANIEL. The only words contained in the amendment which I offered were these:

Together with two additional commissioners whom the President is hereby authorized to appoint, by and with the advice and consent of the Senate.

And the provision that not more than three of the five shall be of the same political party; that is all.

Mr. FAIRBANKS. I do not think, Mr. President, that the addition of two commissioners is at all necessary. Nor do I think it wise or possible to divide them between political parties as proposed. It is my opinion that three good commissioners can do the important work of codifying the laws which they now have in charge as well, if not better, than it would be done by a larger commission. The Senator from Virginia does not assent to this view. I realize that we differ sharply.

A general revision of the statutes of the United States is greatly needed. The bench and the bar are earnestly demanding a revision. The amendment offered by me and adopted requires that the commissioners, among other things—

shall bring together all statutes and parts of statutes relating to the same subjects, shall omit redundant and obsolete enactments, and shall make such alterations as may be necessary to reconcile the contradictions, supply the omissions, and amend the imperfections of the original text; and they may propose and embody in such revision changes in the substance of existing law; but all such changes shall be clearly set forth in an accompanying report, which shall briefly explain the reasons for the same.

The statutes as revised and codified by the commission may be

reenacted by Congress if it shall so determine. It is very important that the commission should be continued and the scope of its work enlarged. It was appointed by virtue of an act approved June 4, 1897, providing for commissioners to revise and codify the criminal and penal laws of the United States. It has done much, and I believe, good work. There is no good reason why the commission should be either enlarged or appointed in the manner proposed by the honorable Senator from Virginia.

Mr. PLATT of Connecticut. I should like to inquire what is the complexion of the three commissioners who have already been appointed?

Mr. DANIEL. The present commission consists of Judge Botkin, of Montana, I think, Mr. Watson, of Ohio, and Mr. Bynum, of Indiana. They were appointed to codify the criminal laws, and the amendment which has been ingrafted upon this bill imposes upon them the additional duties of revising and codifying all the laws of the United States of a permanent and general character.

Mr. PLATT of Connecticut. Then this amendment of the Senator from Virginia proposes to appoint two additional commissioners, both of whom shall be Democrats? Is that the proposition?

Mr. DANIEL. The problem would first have to be solved as to what political party one of the commissioners belongs, and I do not consider myself at all capable of making the solution.

Mr. PLATT of Connecticut. I rose for the purpose of saying that if I were otherwise disposed to vote for the amendment, and I think I should be, I should vote against it because of the proposition to limit the President in his appointment of a commission or portions of a commission to codify all the laws of the United States to persons of one political party. I would have no objection to the President being left free to appoint all Democrats on that commission, if he chose to do so; but I can not vote for a proposition which directs the President to appoint only Democrats or only Republicans, as the case may be.

Mr. DANIEL. I think the honorable Senator from Connecticut would probably change his opinion as to the nature of this amendment if he knew its history. It was proposed by the Committee on the Revision of the Laws to take the commission as now constituted, and which consists entirely of gentlemen who are the supporters of this Administration, let them be called what name you please, in lieu of a new commission to be appointed, and require them to revise the laws of a permanent and general nature of the United States.

The amendment which I proposed and is now lying on the table as a substitute for that amendment was one which authorized the President to appoint five commissioners to revise the general civil laws of the United States and requiring that not more than three should belong to the same political party. I laid that aside and adopted this language in deference to the opinions of gentlemen of the Senator's own political party who thought that this was the shortest way of getting at that result.

Now, Mr. President, I have a word or two to say on the general subject. It will be observed in looking at the amendment which was offered by the Committee on the Revision of the Laws that this commission is charged with a very grave and far-reaching legal duty. It requires them to take the Statutes of the United States that are to-day extant, and to revise and codify them, and provides that in this revision and codification they may change the substance of existing law, and make any alteration in them that they see proper.

Mr. President, this is a great country. It contains in one compact area over 76,000,000 people and 45 different States. All the general statutes concern, some more and some less, different communities in the United States. As a task to be confined to three lawyers, all of the same political persuasion, it seems to me that the provision contains nothing in it of the liberality of our institutions and of the generosity which should pervade our legislation concerning them.

In the Senate it is always the custom to make no committee all from one political organization. In the New England States it is customary even upon their high courts of judicature almost invariably to see to it that the minority political organization is represented by one judge. In my judgment you will always find a more liberal body when it is composed of those which represent opposing political opinions than when it is composed of a set of men whose minds are continually running in one rut and whose ideas are turned simply into certain grooves which education and environment and prejudice have put them.

The general laws of the United States ought not to be revised and codified by any partisan body or by any body whose minds are accustomed to run in one political channel. And above that, Mr. President, a country so vast as this is, with such diverse interests, ought to have as much of the diversity of interest represented on such a board as is consistent with its practical operations.

I know of no condition of the country in which it is not wiser to have a board so composed; and between any narrow and contracted view of a subject of this kind and the broader and more

liberal view it is always well to give breadth and liberality the preference.

Mr. PLATT of Connecticut. Mr. President, this seems to me to be a matter of principle. I do not know but that it is in the power of Congress to limit the appointing power of the President to persons of one political party. It may be. I express no opinion on that subject. I have heard very interesting discussions on the subject as to whether it was not a limitation on the appointing power of the President. But I think it is unwise and impolitic in principle for the appointment of men to perform legal duties to provide that they shall be selected from one or from two political parties.

I should have no objection to the appointment of two Democrats if the President chose to appoint two Democrats on this commission; but I think that Congress should no more limit him in the selection of men to perform the important work of revising the statutes of the United States than it should limit him in the appointment of a judge, when we provide for a new judge.

I agree with the Senator from Virginia that it is wise to have men of both political parties represented in the appointment of judges and persons who are to perform such services as this; but I can not agree that the President should be directed to appoint a man from one political party. We passed a bill for the creation of a new circuit judge in the State of New York. What would the Senator from Virginia have said if we had provided in that bill that the judge appointed from New York should be a Democrat, or be a Republican?

Mr. DANIEL. I do not think it likely you would have done that.

Mr. PLATT of Connecticut. I think the Senator would have been one of the first to say that we ought not by act of Congress to attempt to limit the President in his selection of a judge to one political party or another political party.

Mr. President, with me it is a matter of principle. If the Senator will strike out that clause, I shall be happy to vote for his amendment.

Mr. DANIEL. There are two propositions. The Senator can vote for one and against the other.

Mr. PLATT of Connecticut. But I can not vote for an amendment with that clause in it.

Mr. DANIEL. Mr. President, I appreciate what the Senator from Connecticut [Mr. PLATT] says, but I did not suppose there was anything that Congress could not do, after seeing the Army bill pass through this body without any objection, or very little objection on that side, which limited men in every conceivable way as to description, which almost made a photograph of the man desired to be appointed on the staff and to other Army positions.

Furthermore, our experience in such matters as this, when the statute has not pointed out the discrimination in parties which is desired, is that the President is immediately beset by his own party to nominate and appoint those who are of its numbers.

We have just seen this matter illustrated in the Industrial Commission, which was proclaimed to the world as a nonpartisan commission. As soon as the words were taken out of the act which required a division in that commission to be made between the political parties, it became almost entirely a Republican body.

Mr. MALLORY. It is now.

Mr. DANIEL. It is now, as I understand from one of its members, composed of gentlemen all of whom belong to the Republican organization.

Mr. CULLOM. I do not think that is so.

Mr. DANIEL. Except the Congressional representation.

Mr. CULLOM. I was going to inquire about that.

Mr. MALLORY. All the Presidential appointees are Republicans.

Mr. CULLOM. I understand.

Mr. DANIEL. All the members who were created by executive appointment belong to the Republican organization. The appointing power ought to be saved from the inevitable pressure of political friends to make any public organization solely a political body.

This Industrial Commission was started upon the broad plane of having no politics in it. They were not going to consider partisan political questions; they were to spare them in their investigation; they were to be gentlemen sitting on serene heights, undisturbed by those questions which affect the minds of the American people and distribute them into political organizations. But the moment you took away from that commission this safeguard it crystallized as a Republican body.

Mr. President, these commissionerships are very different from the official bodies that administer the Government. They are more like referees in chancery, who have no authoritative power, but who yet, from their contact with the people and the various questions which are involved in their work, ought to be of a representative relation.

If the Democratic party should ever come to power again within

any time that I had the honor to be one of its members, I should like to see them rigidly enforce the doctrine of giving a fair division in all such matters as this to their political opponents.

I am not claiming it as a Democrat, but as a just principle of government, which any man who has observed public affairs for a long time and has become familiar with the tendency of things ought to recognize as a wholesome and beneficial agency in government. It is better for the people of the United States that partisanry in such a matter should be softened by bringing those who represent the different political bodies together, and that all ideas which are embodied into law should be illumined and contributed to by the diverse mentality of the country, which comes from the combination of various views and experiences.

It is wise and good legislation; and I hope that the Senate will adopt this amendment and relieve the President from the plague of having office seekers, and those who must necessarily represent them, constantly besieging him to make his party the whole thing in the matter and to regard the other as outcasts unworthy of consideration.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Virginia. [Putting the question.] By the sound, the "noes" have it.

Mr. DANIEL. I call for a division, Mr. President.

The question being put, there were on a division—ayes 18, noes 21; no quorum voting.

Mr. MORGAN. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah [Mr. RAWLINS], which I transfer to the Senator from Kansas [Mr. BAKER] and vote. I vote "nay."

Mr. HEITFELD (when his name was called). I am paired with the Senator from New York [Mr. PLATT].

Mr. MALLORY (when his name was called). I have a general pair with the Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "yea."

Mr. MONEY (when his name was called). I have a general pair with the Senator from Oregon [Mr. MCBRIDE]. I transfer that pair to the Senator from Kansas [Mr. HARRIS], thus relieving the Senator from Wyoming [Mr. CLARK] from his pair, and I shall vote. I vote "yea."

Mr. MORGAN (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. QUAY], but, in order to have a quorum to-night, I shall vote. I vote "yea."

Mr. SPOONER (when his name was called). As I have already announced, I have a pair with the Senator from Tennessee [Mr. TURLEY], who will not return at this session. I transfer that pair to the Senator from Rhode Island [Mr. ALDRICH], and vote "nay."

Mr. SULLIVAN (when his name was called). I am paired with the junior Senator from Illinois [Mr. MASON], and therefore withhold my vote.

Mr. WARREN (when his name was called). I am paired with the Senator from Washington [Mr. TURNER].

The roll call was concluded.

Mr. CLARK. Under the transfer suggested by the Senator from Mississippi [Mr. MONEY], I vote "nay."

Mr. NELSON. I have a general pair with the Senator from Missouri [Mr. VEST]. I transfer that pair to the Senator from Colorado [Mr. WOLCOTT], and vote. I vote "nay."

The result was announced—yeas 19, nays 33, as follows:

YEAS—19.

Allen,	Clay,	McEnery,	Stewart,
Bacon,	Culberson,	Martin,	Tallaferro,
Berry,	Daniel,	Money,	Teller,
Butler,	Jones, Ark.	Morgan,	Tillman.
Chilton,	Lindsay,	Pettus,	

NAYS—33.

Allison,	Elkins,	Kean,	Sewell,
Beveridge,	Fairbanks,	Kearns,	Shoup,
Carter,	Frye,	Lodge,	Simon,
Chandler,	Gallinger,	McComas,	Spooner,
Clark,	Hanna,	McMillan,	Thurston,
Cockrell,	Hansbrough,	Nelson,	Wetmore.
Cullom,	Hawley,	Pettigrew,	
Dillingham,	Hoar,	Platt, Conn.	
Dolliver,	Jones, Nev.	Scott,	

NOT VOTING—36.

Aldrich,	Foraker,	McLaurin,	Quay,
Baker,	Foster,	Mallory,	Rawlins,
Bard,	Hale,	Mason,	Sullivan,
Bate,	Harris,	Penrose,	Turley,
Burrows,	Heitfeld,	Perkins,	Turner,
Caffery,	Kenney,	Platt, N. Y.	Vest,
Clapp,	Kyle,	Pritchard,	Warren,
Deboe,	McBride,	Proctor,	Wellington,
Depew,	McCumber,	Quarries,	Wolcott.

So Mr. DANIEL'S amendment was rejected.

Mr. DANIEL. Mr. President, the Senator from Alabama [Mr. MORGAN] desires to go on with the Nicaragua Canal amendment

now, and I will not press this matter at this moment any further. When the appropriate time arrives, however, I will present this amendment in a different shape, and hope it may then be adopted.

The PRESIDENT pro tempore. The question before the Senate is on an appeal from the decision of the Chair. Shall the decision of the Chair stand as the judgment of the Senate?

Mr. MORGAN. Mr. President, to save the Senate from the infliction of a speech and myself from the labor of uttering it, I want to ask unanimous consent of the Senate that this amendment may go on this bill.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent that his proposed amendment may be adopted. Is there objection?

Mr. LODGE. Mr. President, that amendment, if it is decided to be in order, and the Chair is not sustained, will involve a great deal of discussion, I think, and probably discussion that ought to be held with closed doors, so I am constrained to object.

Mr. MORGAN. I am not responsible then, Mr. President, for the discussion that it may lead to. I will not myself, however, discuss it very long.

I am not surprised at the objection coming from the Senator from Massachusetts [Mr. LODGE] to this agreement of the Senate upon a question of great importance, but, as it seems to me, it is a very clear matter of duty to the President of the United States.

That Senator has on all occasions, when he has had the opportunity, interposed objections to the consideration of the Nicaragua Canal bill. He commenced at the time that he made himself the champion of the Spooner resolution, very far back in the session last year, and interposed that bill at that time for the purpose of breaking down the vote of the Senate on the Nicaragua Canal bill and preventing its consideration; and on two efforts that I made to get the Senate to take it up the Senator from Massachusetts prevailed by a vote of this body on the call of the yeas and nays.

As a leader of the opposition, therefore, to the Nicaragua Canal bill, I expect from him any method that he can resort to for the purpose of defeating this measure. I have never been deceived in regard to his attitude.

I admit, Mr. President, that to-night I am thrown on the side of duty to the President of the United States, while the Senator from Massachusetts seems to be opposing his power here in opposition to what the President has done.

I do not know why it was that in the month of December, 1900, the President of the United States found it necessary and proper to make an agreement with the Government of Nicaragua.

I should be very glad not to be disturbed, Mr. President.

The PRESIDENT pro tempore. The Senate will please be in order.

Mr. MORGAN. I invite the special attention of the Senator from Massachusetts, inasmuch as he has made objection, and, I suppose, antagonizes himself to this bill. I have been speaking for two minutes in regard to his attitude on this subject, but he has not had his attention drawn to my remarks. I suppose he is indifferent to my opinion and to my attitude about this matter, and probably to the opinions of the world. But some gentlemen sometimes appear to be indifferent to the opinions of mankind, and when in that condition mankind generally has a mutuality of understanding about them and does not care about their opinions.

I was saying, sir, that I did not know why in December, 1900, the President should have put himself to the trouble of making an agreement, which I am going to read, with Nicaragua and Costa Rica. Nicaragua and Costa Rica are two Republics of America. They are Spanish-speaking people, but they have been recognized by the Government of the United States as being free, sovereign, and independent governments. They are not very strong, but they are in possession of a very remarkably valuable piece of property—the route of the canal through Lake Nicaragua and San Juan River—which has no parallel anywhere on the face of the globe.

To us, Mr. President, the Nicaragua Canal route is the most important piece of property in the world. If it has a rival in the Panama Canal I am not prepared to say that that would not be a very important piece of property also, but the great commission of nine engineers, able men, one of whom was our former colleague here in the Senate, after spending a year in the investigation of this subject, has decided that the Nicaragua route is practicable, and is in all respects better for the United States than the Panama route. They have also decided—our former associate in the Senate, Mr. Pasco, being, I believe, the lawyer of that tribunal—that there is no legal possibility of the United States acquiring property in the Panama Canal.

They state the reasons for it; and therefore I drop that subject out of view for the present, although I am perfectly aware that that canal is here to-night operating against the movement that I am trying to make. It has been here for weeks and for months and for years. It spent a million and a half of dollars in New York before the reorganization in employing lobby services; it

removed a Secretary of the Navy from his office by resignation, in order that he might accept the position of a lobbyist, really, or at least an advocate, of that canal, at a salary of \$25,000 a year; and what was true, Mr. President, in the green tree is true in the dry. That same situation exists to-day.

I am firmly convinced, sir, that if I had put a hundred million dollars in this appropriation instead of \$10,000, that I could have been able to pass this bill through the Senate. The opportunity that it would have placed in the hands of men who want to control vast sums of money is beyond question a most important factor in all this business.

It is alleged that this canal is to cost \$200,000,000. I think that is an estimate that is \$50,000,000 beyond a fair, just, and economical work of construction. But suppose it is only \$150,000,000. If that sum of money could be kept in reach of speculators and combinations, there would be very little difficulty in passing this bill, very little. But the bill that passed the House by a vote of 223 to 26 shut off the speculators and the contrivers by putting the construction of that canal into the hands of the President of the United States through the agency of the Secretary of War.

It is not supposable—notwithstanding Mr. Carter is in the penitentiary at Leavenworth, Kans.—it is not supposable that officers of the Army could be corrupted in the expenditure of that sum of money, and the very safeguard that we have thrown around this canal, and for which I have contended all the time, to shut out the looters and the marauders, makes it an unpopular measure. It is not unpopular with the country or with the people, but Congress seems to have such aversion to it that they are unwilling to take it up at any time at all whenever it is called.

No state of circumstances can possibly occur in this country when the Congress of the United States seems to be willing to do their duty to the country in the passage of this canal bill. Even now the pressure that is brought to bear to-night to stop this canal bill is said to be an aversion of the present Administration to give some possible offense to Great Britain; that the President of the United States is unwilling to have this canal constructed until Lord Pauncefote or whoever is at the head of foreign affairs in Great Britain shall consent that it may be done.

I repudiate that construction of the present situation, upon my knowledge, as far as it goes, of what the President of the United States really desires. But I am not informed on that question fully, and could not be; and I will ask the chairman of this committee, who made the first objection to this proposition, whether he knows that the President of the United States is opposed to this measure? As soon as the chairman is disengaged, so that I can get his attention, I will ask him the question.

I have stated, as the chairman is now giving his attention to me, that I had no right to suppose that the President of the United States was opposed to the building of this canal. I had no reason to suppose that the President now felt the pressure of British power upon his authority, so as to deter him and drive him off, for any consideration at all, from action by Congress in the ratification of an agreement that he himself has made. I was asking the chairman of the committee if he knew whether the President of the United States was opposed to putting this amendment on the pending bill.

Mr. ALLISON. I certainly have no knowledge upon the subject. I have never spoken to the President on the subject in any manner as respects this amendment, and I do not know.

Mr. MORGAN. The Senator from Iowa, I think, will concede that he has spoken to the President about the subject. It may not have been on this special amendment; but the matter had just as well come out now, and I have no disposition to hide any part of anything that concerns this canal.

I have always understood the President of the United States to be in favor of the Hepburn bill and to be in favor of any matter that would enable him to execute his solemn, written contract, under seal, with the Governments of Nicaragua and Costa Rica. Now, if it is not admitted that he is opposed to this ratification of his own contract, I shall assume that he is still in favor of it. But, Mr. President, I do not know and I can not know.

Through the courtesy of both parties in the Senate I was made the chairman of the Committee on Inter-oceanic Canals. I suppose that was done because as a member of the Committee on Foreign Relations for many years I had been laboriously engaged in trying to have this canal bill passed through the Senate. Two bills passed, one by 11 majority and the next by a majority of 8 to 1—a vote of 7 to 56.

I took it for granted that in the Senate of the United States, it having thus twice been tested on the subject, it could not possibly be a political question and it could not be said by any man in the world that the Senate of the United States was not in favor of passing the Nicaraguan Canal bill, and that bill was in favor of executing a concession that had been made to a corporation or company. Then when we cut loose from that and the House of Representatives took the high ground that this canal must be built by the Government of the United States and owned by it, the bill came

up in the House, and there was the overwhelming majority, to which I have just adverted, of 123 to 26 in favor of it.

So there can be no doubt about the attitude of the Houses on this question, if they are left free from political or party constraint. It has not been a party measure in the Committee on Inter-oceanic Canals. It has not been a party measure in either of the Houses of Congress, and if it has become a party measure it has been within the last few days or even few hours, and I still assume that the President of the United States is in favor of what I am now proposing. If there is any Senator here who knows to the contrary and can correct me, he does himself and me both great injustice if he does not rise in his place and do it; and I challenge any Senator on the other side of the Chamber to get up and say that the President of the United States is against this amendment.

Now, let us understand each other. I am fighting here for the honor of the United States Government and the honor of the President of the United States, and if he is permitting me to enter the lists under these circumstances and bear up his own contract, carry out his own expressed will under hand and seal; if he, as chairman of the Republican party, is permitting me to go along blindfolded to do these things, he is a hypocrite, because his professions and his public acts are all the other way. Now, let some of his own friends accuse him of that hypocrisy or else let them take the position of opposing what the President has done. There is where they stand, and they can not escape from it.

Now, I will read what he has done and what he did in the month of December last. He made an agreement with these two little Republics of which I have been speaking, the poor little institutions of government that compare with the United States like a minnow would compare with a whale. Has the President been dodging with them; has he been deceiving them; has he been imposing upon them; or was he honest and sincere in the contract which he made? I will assume that as an honest man, an American President, he was sincere in the contract which he made, and here it is:

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an inter-oceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements, in detail, found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

And they go further, to clinch the bargain:

And preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Costa Rica.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Mr. President, the Hay-Pauncefote treaty, which was referred to in that agreement, was then pending in the Senate of the United States for ratification. It was amended. It was not changed except in words. The Hay-Pauncefote treaty repealed or superseded essentially and absolutely every single feature of the Clayton-Bulwer treaty—every one. After the Hay-Pauncefote treaty is ratified, the Clayton-Bulwer treaty is as dead and as thoroughly dispensed with as if it had never existed.

We amended it to make the language clear by saying that the Hay-Pauncefote treaty superseded the Clayton-Bulwer treaty, and that is all we did, except that we dissented from a provision of that treaty—in the third article I think it was—which invited the different governments of the world to accede or adhere to that treaty—become parties to it—as if they had been signatory parties in the first instance. That was an outside proposition. I have never yet heard a man suggest that Great Britain was not anxious to get rid of that provision—was not pleased with getting rid of it—because the powers who agreed to adhere or might be permitted to adhere to that treaty would become in effect signatory parties to it, and Great Britain did not want to have a canal under a treaty arrangement to which Russia and herself were both parties.

Anybody who understands British history and British enterprise and Russian history and enterprise, and the friction between those two Governments, would understand at once that Great Britain would not prefer to have a treaty with Russia about a canal in which Russia had as much voice and control as she had. So whatever objection Great Britain may have to the Hay-Pauncefote treaty, or to the amendments put upon it by the Senate, the objection does not reach that point, I am quite satisfied, and everybody else ought to be, it seems to me.

But how do we know what are the British objections? When has Great Britain signified an objection? Not at all. The time

for the ratification of the Hay-Pauncefote treaty expired, and thereupon the Government had a new negotiation for the extension of the period for the ratification of the treaty. To what time did they fix that? The 4th of March, 1901. It never dawned upon me until these recent proceedings in the last ten or twelve days what was the object of putting it on the 4th day of March, 1901. It was that this Congress should adjourn, and that the other side of the Chamber, or whoever is leading the opposition, should have an argument in their favor of stating that the 4th day of March must arrive before we will feel at liberty to act for the United States Government.

Did the President feel that way at the time he entered into this agreement with Nicaragua and Costa Rica, last December? Why did he make an agreement with Nicaragua and Costa Rica that was directly in the teeth of the Clayton-Bulwer treaty? This agreement as much violates the Clayton-Bulwer treaty—far more than the Hepburn bill—as if we were to pass an act here that notwithstanding the Clayton-Bulwer treaty we would proceed to erect the canal in obedience to American sentiment, on American ground, and in the assertion of American rights.

The President of the United States went to the right source. He went to the owners of the property. He went to Nicaragua and Costa Rica, the sovereign Republics that own this route for the Nicaragua Canal, and proposed to them, "I will not stand back for the Clayton-Bulwer treaty. I will pay no attention to it." That treaty is said to prevent the United States from doing what?

From acquiring from Nicaragua and Costa Rica the right to the control of such portion of the territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage, etc., from a point near San Juan del Norte on the Caribbean Sea via Lake Nicaragua to Brito on the Pacific Ocean. He copied that language out of the Hepburn bill, for that is the language of the Hepburn bill. He took it to Nicaragua and Costa Rica and said, "Make an agreement with me;" and when we undertake to pass the Hepburn bill we are told that it violates the Clayton-Bulwer treaty. If it does, why does not the same language in this agreement violate the Clayton-Bulwer treaty?

Now, the President of the United States, knowing the situation, copying his language out of the Hepburn bill, took it to these two little Republics and got them to consent, under hand and seal, that he might have the privileges for the United States that are contained in the Hepburn bill, in the very language in which they are put in these protocols.

Mr. DANIEL. Will the Senator from Alabama allow me to ask him a question?

Mr. MORGAN. Yes, sir.

Mr. DANIEL. Is not the whole agreement hypothetical and based upon authority from Congress?

Mr. MORGAN. This agreement?

Mr. DANIEL. Yes.

Mr. MORGAN. Yes.

Mr. DANIEL. And therefore does not that answer all of his propositions?

Mr. MORGAN. Suppose it does?

Mr. DANIEL. Does it not answer the proposition the Senator makes? Does not that explain the action of the President in entering into the agreement? Is it not a prospective thing, conditioned upon action by Congress?

Mr. MORGAN. It is. Would the President make an agreement of that sort unless he expected Congress to carry it into effect?

Mr. DANIEL. Then a treaty was pending, and it might by this time have been operative between the two Governments, by which the conditions that then existed and that now exist were anticipated to be relieved by the adoption of the Hay-Pauncefote treaty.

Mr. MORGAN. It does not make any difference under this contract what becomes of the Hay-Pauncefote treaty or what becomes of the Clayton-Bulwer treaty. Here is an agreement made by the President of the United States that when he is authorized by law to acquire control—

Mr. DANIEL. He has not been authorized by law, and it was not contemplated that he would be authorized by law while those difficulties were under way, but it was anticipated that they would soon be removed.

Mr. MORGAN. What I am trying to get now and what I suppose the Senator from Virginia is not willing we should have is that legal authority to him to complete that contract. Now, if the Senator from Virginia is opposed to granting his consent for the President of the United States to complete that contract, then we know where to find him. He is against the canal.

Mr. DANIEL. I think we ought to wait until the Hay-Pauncefote treaty is disposed of. That is my proposition.

Mr. MORGAN. That comes very properly from a Democrat,

that the President of the United States has been in too big a hurry in making this.

Mr. DANIEL. I do not think he was in too big a hurry. I think he anticipated that it would be relieved, and I think the country anticipated that; but it has happened that it has not. I think he had his mind directed to an anticipated condition of things, and the anticipated condition has not yet arisen.

Mr. MORGAN. Will the Senator from Virginia allow me to ask him what is in the way to-day?

Mr. DANIEL. I think the Clayton-Bulwer treaty is in the way to-day.

Mr. MORGAN. And the refusal to ratify the Hay-Pauncefote treaty?

Mr. DANIEL. Yes, sir; I do.

Mr. MORGAN. Was it not in the way when the President made this contract?

Mr. DANIEL. It was, but it was anticipated that it would be relieved; but the anticipation has not been realized, and that is the whole matter.

Mr. MORGAN. It has not been relieved?

Mr. DANIEL. It has not, in my judgment.

Mr. MORGAN. Then the Senator from Virginia wants this matter stopped until we can hear from Great Britain?

Mr. DANIEL. I do.

Mr. MORGAN. When do you expect to hear from Great Britain?

Mr. DANIEL. I know the Senator from Alabama knows as much about that as I do, but I think after we have negotiated with a copricipal in such a matter as this, it is not becoming the United States to break off the negotiations while the two parties are together consulting about it. I do not think that we are free to break off a negotiation about a matter of treaty until the matter has been solved and we can act with our eyes open. That is my judgment about it.

Mr. MORGAN. There is not a man in the world, in my judgment, who can find a safe ground to stand on in the assertion here that the Hepburn bill or this protocol conflicts in the slightest degree with any British right secured under the Clayton-Bulwer treaty.

Mr. MONEY. Will the Senator from Alabama allow me for a moment?

Mr. MORGAN. Certainly.

Mr. MONEY. I want to ask the Senator from Alabama if there was anything in the Hay-Pauncefote treaty, as submitted to the Senate, that indicated an abrogation of the Clayton-Bulwer treaty at all. That was put in after the treaty came to the Senate. It was an amendment of the Senate itself. I—

Mr. DANIEL. By operation of law.

Mr. MONEY. Not by operation of law. Parts of it were not in contradiction.

Mr. MORGAN. In my judgment, as I stated it here to-night, and I repeat it, and I think I can establish it beyond question—

Mr. CULLOM. We on this side can not hear anything at all except conversation.

Mr. MORGAN. In my judgment, as I have stated heretofore, and I repeat it, there is nothing in the language of the Hepburn bill, copied into this agreement, that in the slightest degree interferes with whatever demands Great Britain may see proper to urge against us under the Clayton-Bulwer treaty, and it is my opinion that the Hay-Pauncefote treaty absolutely expunged, in legal effect, the Clayton-Bulwer treaty.

Mr. DANIEL. But it has not been adopted. That argument may be made by the Senator when the Hay-Pauncefote treaty has been adopted; but it has not been adopted.

Mr. MORGAN. It has been adopted, so far as the Senate is concerned.

Mr. DANIEL. I think not. It is only a proposition from the Senate, which does not bind it or the other side until both minds concur. No contract is a contract until two minds concur.

Mr. MORGAN. The Senate has made no proposition. The Senate has submitted no negotiation to Great Britain.

Mr. DANIEL. I thought it had.

Mr. MORGAN. No; it has not. It can not do it, and that is one of the reasons why Great Britain is said by the newspapers to object to the Senate amendments.

Mr. DANIEL. The President and Senate together have.

Mr. MORGAN. Will the Senator allow me to make a statement, and not get unhappy?

Mr. DANIEL. I am not unhappy at all.

Mr. MORGAN. Great Britain, we are informed by the newspapers, objects to the Clayton-Bulwer treaty being superseded because the proposition comes from the Senate, which is not a negotiating body; that the Senate is negotiating. It has no right to negotiate. What we have to do is to act upon what the President sends to us, and ratify or reject or amend. That is all we can do. Then it is for the President to do what he pleases about it. He is the diplomatic functionary of the United States, and

not the Senate. The President of the Senate would look like a clown if he were to go out under a resolution of the Senate for the purpose of conducting a negotiation with Great Britain. He has no right to do it.

No, sir; the President of the United States at the time he put this proposition in his protocol did two things. He determined, if words are to be interpreted in their ordinary, natural significance, that the Clayton-Bulwer treaty did not stand in the way of his right to make this contract, and he determined also that the Congress of the United States could empower him to make the contract.

There is another party concerned in this protocol of agreement. There are two other States, and they insisted evidently that the Congress of the United States should bind this Government to this business, and that it should not be a fast and loose agreement, as the President or the diplomatic circles of this country might choose to deal with this very important and, to them, vital question. They required that when the President of the United States is authorized by law they will make this contract. What becomes of that part of the contract which takes place forthwith? They did not wait for a law on that. That part of the contract only which relates to the acquisition of rights do they refer to the legislative department.

The entire amendment here is put up so that when he makes this contract it is to be ratified and approved, if it is a contract, by the Congress, and if it is a treaty, to be ratified and approved by the Senate of the United States, so as to bring the subject back here and let the real rulers of this country—the political rulers, to say the least—the legislative rulers, and the treaty-making rulers have a voice in this business. No, sir; there is no escaping from it. The President of the United States knew perfectly well when he made that agreement that Costa Rica and Nicaragua confided in his power to make the part of it which is to be acted upon immediately; that part which operates forthwith. They did not wait for Congress to enable him to do anything. The case is too plain, Mr. President, for discussion.

I stated that I had not the opportunity personally of ascertaining the views of the President about this, but I take him on what he has written and what he has signed and what he has sealed and what he has delivered to these two little Republics, and he did exactly right. He acted within the limits of his right and power. He acted on that occasion boldly and manfully in favor of American rights, and we ought to sustain him in it. If there is some party reason why he wants to withdraw from it now, he ought to let it be known. He ought to come out and avow it before the world and tell us, "I drew that agreement, it is very true, signed and sealed and delivered it, but I am ready to abandon it and go away from it because Great Britain shakes her head at me." I do not want to see our President in that sort of an attitude.

I spoke of the painful situation of being cut off, by my being a Democrat, from the right to go to the President of the United States and advise him about the policies of his Administration in regard to this canal. If I had to advise him or his political friends to-night as to the policy that would relieve them from many a trouble, I would say, "Gentlemen, come up and declare that you have the right to build this canal as an American Congress, and that you intend to do it. Do not admit that in the Clayton-Bulwer treaty you gave away to Great Britain your power even to negotiate with Nicaragua and Costa Rica. Make no admission to the effect that you have emasculated the Government of the United States, so that we can not make a negotiation with Costa Rica or Nicaragua without getting British consent."

Mr. President, I will take occasion to say that I have as much respect for Great Britain as any man on this floor, so far as I have ever heard any expression. I have never uttered an ill-natured word against Great Britain on this floor, except when she was trying to gouge us, and I would utter ill-natured words against any country in the world that would try to do that. I have made no complaint on this floor about the *modus vivendi* in Alaska. It may be a good thing. I made none about the *modus vivendi* with Great Britain about the eastern shore fisheries. That was a good thing. I made no complaint about Great Britain and the United States being in coalition and working shoulder to shoulder in China, even though it has resulted in the chopping off of heads and staining whatever treaties may be made hereafter with human blood.

I have done nothing of that kind; and when that grand and pure woman, who in her womanly qualities was far grander than she was a queen or empress, died, I had the honor to draft the resolutions in honor of her memory here, and the Senator from Massachusetts asked me if I would not turn them over to the Senator from Iowa and let him offer them. I did so. Why did I do it? Because I did not want to make myself conspicuous about it, and he did want to make the Senator from Iowa conspicuous.

I drew that Davis report, the whole of it, and yet when it came out of that committee it came with Senator Davis's name at the head of it. I did not object. I was glad of it. That was called by

the Democratic papers of the country a pro-British document. Mr. Davis was pounced upon for the doctrines and the propositions that were contained there and accused by the Democrats of being a British worshiper because he dared to say that the Clayton-Bulwer treaty was still in force; and everybody knows it.

But, Mr. President, I have not on any occasion in the Senate of the United States attempted to make myself conspicuous by arraigning the British people or the British Government or sentiment. So I propose and I am willing always to deal fairly with them. But I know, sir, as well as you know, and every Senator on this floor, that Great Britain is reaping a harvest out of the fact that we have not built that canal, which is absolutely incalculable in its advantages.

First of all, she has \$50,000,000 in the Suez Canal, and she gets 18 per cent per annum dividends upon it. Next, that stock is worth 740 and more than that on the Bourse in Paris and on the Exchange at London. Does she want that proposition crippled by the enterprise of a rival like the Nicaragua Canal? Does she not know that as we get from there 10,000 miles of advantage of her in her dealing from Liverpool with the nations along the Pacific Ocean, we will transfer the trade, or a large part of the trade, from Liverpool to New York? Does she not know that?

And if she can postpone us for two years longer and build a canal that General Hains thinks it will take ten years to build—for here is his report before us to-day—if she can get two years advantage upon this, it is worth millions and millions of dollars and will cost us three or four times the money that would be required to build this canal. She wants delay, and they have managed in every way in the world to get it. Putting that last agreement on the 4th day of March meant exactly what is meant by the objection made here to-night—that we intend to give Great Britain two years more lease of this life.

Mr. President, I am not surprised at that coming from Boston. Their interests are so wrapped up with the British people that they do not know the difference between them. But it strikes me it is time that the people of this country should have some regard for our own affairs, and particularly those who have an interest in bringing the great West and the great East together through this channel of navigation that belongs to the people. It strikes me that we ought to be a little active about this matter. Here we have been hanging on, and I have been trying to pass the canal bill through the Senate for sixteen years, and the present occupant of the chair stated that he began this thing twenty-six years ago.

Now, in the name of common sense, why is it that the American people have tolerated this indifference on the part of the United States Government? Has it been the Clayton-Bulwer treaty that all that time has hovered over us to paralyze our energies and to alarm our apprehensions? If so, it is just as necessary that we should get rid of it as it would be to get rid of an invading army that comes into our ports.

And yet we hesitate, yet we halt; and here the other day, when the President of the Senate ruled that the Nicaragua bill was the regular order before the Senate and when I asked that it might be set aside by unanimous consent, without prejudice to its rights, the Senator from Rhode Island [Mr. ALDRICH], who presided to-night and stated this question against me, rose in the Senate of the United States to make his objection. And to-night after he had decided the question he took it upon himself to say that he would hear me if I would be a little brief about it. That was not his language, but he said that he would hear me within the limits of reasonable debate. "Within the limits of reasonable debate," after he had transferred the question to this august body, to whom I appealed at the time!

Now, Mr. President, I recur to the subject that I was on before, and that is the extreme delicacy I have been placed in about this matter. It is something that I do not intend to stand any longer. I am not going to have myself hampered as a member of this Senate by a relation to the Republican party which excludes me from all counsel which enabled them to take advantage of every possible opportunity to defeat the measure that was reported here by a Republican committee. They aim it at me because I am a Democrat, and they do not want the bill to pass under the supervision of a Democrat. I have been feeling this a long time, and I wish to bring the situation right out before the country.

So January 12, 1901, after having borne this thing as long as I could, after having tried in every possible way that a man could to move this great measure to the front, I addressed the following letter to Mr. ALLISON, who is the chairman of the steering committee here in the Senate, a man who has the control, or his committee has the control, of all the party operations on that side of the Chamber:

JANUARY 12, 1901.

DEAR MR. ALLISON: When you think of the painful position in which I am placed with reference to the Hepburn canal bill, I am convinced that the committee on the order of business, of which you are the chairman, will relieve me from it, as you can, by informing me whether or not that measure will be placed on the list of bills to be considered at this session, and whether

it will receive the support of the Republican party in the Senate, or a majority thereof.

I am, by the courtesy of the Republican party, the chairman of the Committee on Inter-oceanic Canals, the majority of the committee being Republicans.

That committee recommend the passage of the Hepburn bill, no member of it dissenting, and have stated, carefully and forcibly, the grounds for pressing its passage on a full review of all the facts that might call for further delay—

That means these facts relating to the Hay-Pauncefote treaty—

This makes it my duty to press for the consideration of the Hepburn bill; and I am fully satisfied that if the vote of the Republicans in the Senate is not controlled by the action of the committee on the order of business the Senate would proceed to consider the bill as against any measure except an appropriation bill.

In this I may be overconfident, but I can not be mistaken as to my duty, under ordinary circumstances, to demand a vote on taking up the bill for consideration.

The only thing that could relieve me of this duty, for which the country will hold me severely accountable, is the fact that, being a Democrat at the head of a Republican committee, I owe that party the courtesy of noninterference with its wishes as to the measures they prefer to press for consideration.

I am opposed to the subsidy bill, but I will not antagonize it with the canal bill if your "steering committee" will make it the regular order of business next after the subsidy bill, and if that measure is pressed to a conclusion within a reasonable time. If the Republican party prefers to assume the responsibility that rests so heavily and awkwardly upon me, and will so advise me, I will cheerfully resign the chairmanship of the Committee on Inter-oceanic Canals, and state my reasons to the country.

Then I will have the right of a Senator to urge the canal bill without incurring the censure of holding a position of influence under the courtesy of the Republican party and using it to antagonize their party policy. I am thus deeply concerned about this matter, because a delay in passing the bill beyond this Congress will put the canal in extreme peril. I could point out the danger, if it is desired, but prefer not to do so on paper, or before anyone except the true and tried friends of the canal.

It is not supposable by a man of your experience that \$200,000 is not a sufficient temptation to excite every evil machination. Please advise me at the earliest convenience of your committee, frankly and decisively, upon what I may rely as to the course of your party in this matter. At the last session of Congress I was postponed without being answered, when I made a similar oral request, and was voted down by a party vote when I tried to call up the bill. The measure suffered because I was thus handicapped with the silence of the "steering committee." If it is to suffer again I respectfully insist that it shall be through their open antagonism.

With sincere regard,

JOHN T. MORGAN.

The Senator from Iowa made the following reply:

UNITED STATES SENATE,
Washington, D. C., January 13, 1901.

DEAR SENATOR MORGAN: Your letter of the 12th instant relating to the Nicaragua Canal bill, now pending in the Senate, was duly received. I understand the purport of your letter to be that you desire us to fix in the order of business the canal bill next to what is known as the ship-subsidy bill, the latter having been made the order of business by a vote of the Senate early in December.

The committee considered this question of the order of business before the holidays and recommended that the ship-subsidy bill be made the order of business, there being at that time no order of business provided for in the Senate at the opening of the session by resolution or vote hitherto held, except that the canal bill was made a special order for the second Monday of the session.

When the committee recommended this order of business it did so with the qualification that the bill for the increase of the Army, all appropriation bills, and the bill for the reduction of internal-revenue taxes should all be considered when ready, and that the ship-subsidy bill should give way for them. At that time it was understood that the Hay-Pauncefote treaty, so called, should be taken up in executive session at an early day and disposed of, as it was believed that the disposal of this treaty would naturally precede the consideration of the canal bill. The treaty was amended by the Senate in two or three particulars, and these amendments have been submitted to Great Britain.

The committee on the order of business, in response to your request, met and considered the subject of now fixing an order for the consideration of the canal bill as suggested in your letter. The committee, after full consideration, believed that it would not be expedient or wise to fix a day for the consideration of the canal bill, in view of the fact that the amendments to the treaty are now under consideration by Great Britain, and that proper international comity required that reasonable time should be given for such consideration before further action should be taken by the Senate.

The committee therefore concluded that it would be premature to now fix a day for the consideration of the canal bill, and so recommended to the conference of Republicans held this morning, and after fair consideration of the subject by the conference the view of the committee was approved without division. I should add, however, that a universal sentiment was expressed in favor of the construction of the canal by the United States at the earliest practicable time.

The action of the Republicans thus far taken will certainly relieve you from any personal responsibility as respects the time when the canal bill shall be taken up, and places the responsibility for the fixing of a time practically upon the Republican side of the Senate. I am, with great respect and with sincere regard,

Yours, truly,

Hon. JOHN T. MORGAN, *United States Senate.*

W. B. ALLISON.

Now we know where the responsibility is. We know where it rests—with the Republican party; and we understand perfectly well that the Republican party is still hanging on to the hope of two years' delay of any action whatever upon the canal, growing out of the fact that the second agreement between Great Britain and the United States for the exchange of ratifications makes the date of taking effect on the 4th day of March, the termination of this session, so there would be no possibility of doing anything at this session of Congress.

Mr. President, I have discharged my duty about that, and I have discharged my duty toward this canal. Hereafter it is the Republican committee under Republican control, and I shall very gladly give them the control and management of it so far as I am

concerned as chairman. I have tried to do my duty to the country here, and I have been checked and balked by objections coming from the other side of the Chamber to prevent the canal bill from being taken up under all circumstances, these very men professing all the time, as the Senator from Iowa does in his letter here, that they are great friends of the canal and want the bill to pass.

Mr. President, I can not believe it. The President may be a friend of the canal and may want this amendment passed, so far as I know. I have tried to find out whether that is so or not, and to get somebody to rise on the other side and state that he was not. He can not but be, without putting on a garb that I never heard of his wearing before—a garb of deception and hypocrisy.

Now, the question is whether or not this canal amendment is new legislation and whether there is any exception in the sixteenth article of the rules which takes it out of the operation of that objection, if the objection exists at all, which it does not. This section has been read so often that I almost dread the necessity of having to put it in the RECORD again, but as a part of my remarks it ought to go in:

1. All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

If the question of relevancy had been made, it would be the duty of the Chair to submit it to the Senate without debate, but the question which is made here is that it is general legislation.

Now, Mr. President, can it be held, construing the different clauses of Rule XVI together, that a proposition made to carry out a treaty is general legislation? Here is a specific treaty entered into by the Government of the United States, and here is an amendment.

Mr. DANIEL. Has the protocol, or what the Senator calls a treaty, ever been communicated to the Senate?

Mr. MORGAN. It has not by official act. Does the Senator want to know how that occurred?

Mr. DANIEL. I want to know the fact whether or not the treaty was ever before us and if we have any right to take cognizance of it?

Mr. MORGAN. If it were an executive session of the Senate, the Senator would know whether it was taken cognizance of.

I had better clear that point, for every once in a while it rises. These protocols were sent to me by the Secretary of State. I did not know that they were in existence. Very kindly and graciously he informed me of their existence, I suppose because I was chairman of the Committee on Inter-oceanic Canals, and he supposed, no doubt—he must have supposed—it would have very great effect upon the action of the committee. When the treaty came up for consideration in the executive session I wrote to Mr. Hay asking him if I was at liberty to present these protocols to the Senate. He first replied to me that one of them had not been signed, and the other had not, but that the minister had telegraphed his Government for leave to sign it and it would be signed very soon. Soon after that he writes to me as follows:

DEPARTMENT OF STATE,
Washington, December 10, 1900.

My DEAR SENATOR MORGAN: Referring to my former letter, I now have to inform you that I have communicated with the ministers of Nicaragua and Costa Rica, and they have both authorized me to use my discretion in regard to complying with your request.

Which was that I should lay them before the Senate.

You are therefore at liberty to make such use of the copy of the protocols which I handed you as your own judgment may dictate.

I am, sir, with great esteem, sincerely yours,

JOHN HAY.

Hon. JOHN T. MORGAN,
United States Senate.

I suppose there will now be no further question made about that. The President of the United States could not properly have sent those protocols to the Senate for confirmation and ratification.

Mr. DANIEL. The Senator spoke of them as a treaty.

Mr. MORGAN. I do speak of them as a treaty. There are treaties that are concluded, and there are treaties that are being negotiated, and there are treaties that are partially concluded, and they are still all a treaty.

Perhaps a more correct term would be a convention in this case, inasmuch as it is uncertain yet whether the final act was to be consummated by a treaty or simply by a compact or a contract. I speak of it as a concluded agreement between two governments through their ambassadors, signed, sealed, and delivered. That is how I speak of it. If that is not a treaty, Mr. President, I do not know what is. It may not be a treaty that has been ratified as yet; and the amendment I propose says that if the final act which is provided for and stipulated for here is done by treaty it must

come to the Senate; if done by contract, it must come to the Congress of the United States.

We now understand how this matter stands. The President of the United States is bound to Costa Rica and Nicaragua to go on and complete that negotiation, provided we will permit him to do so by passing an act authorizing him, as the contract provides shall be done.

Now, there is a specific transaction, standing by itself, differing from all other transactions in the United States; a transaction that in its present shape and form concerns only the Government of the United States and the Governments of these two other Republics. When we undertake to legislate to give the authority that the President of the United States requires in this agreement so that we may go on and perfect the negotiations, then of course it must come to Congress in some form for ultimate acceptance or rejection.

What we are doing now is not general legislation in the general sense of the word, but it is a treaty from which we are deriving our authority, signed, sealed, and delivered by the President of the United States and these two Republics, out of which grows the right and duty to ask Congress to give him the authority, and that is all this amendment proposes to do. It is true that there is a \$10,000,000 appropriation there. I am indifferent about that, but I put it in merely for the sake of furnishing the President the money to pay the expenses of the completion of this negotiation, if he wishes to do it.

But, Mr. President, suppose, now, with this agreement standing here, Great Britain should come in and say to Nicaragua and Costa Rica, "We have got as much right to make a contract with you as the United States has," and certainly they have, the Clayton-Bulwer treaty to the contrary notwithstanding. We never will quote the Clayton-Bulwer treaty to cut off that right. Suppose she were to do so, what would we do? We would say to Costa Rica and Nicaragua, "You are bound to us for a reasonable time, until we can get the authority from Congress that is provided for in this agreement, and Great Britain can not be permitted to come in and interfere and take our contract, as she once did in Nicaragua, and detained us for ten years, or nearly that long, in getting a treaty from Nicaragua exactly a copy of the one she had made with Nicaragua."

Suppose she would come to Nicaragua and Costa Rica and say to them, "Make the same agreement with us that you have made with the United States." Costa Rica and Nicaragua would not dare to do it until this thing happened that is going to happen to-night, I suppose. Congress has refused to legislate; then they are foot loose. "Congress has refused to give the President the power that is provided for in these contracts, and having refused, we are released from our obligation." That is all of it.

So the action of Congress to-night in refusing to pass this amendment is a release and surrender to Nicaragua and Costa Rica of the whole terms of the protocol; and now, if it could be established that the President of the United States, in order to get out of an honest bargain with Costa Rica and Nicaragua, had intervened and asked us not to do it, he would be on the footing of any other man who would provide means by which his contract should be broken by some indirection in order to escape its consequences.

There is the situation we are placing him in; and if he is here moving the Senators on the other side to do this thing, that is the situation he is placing himself in; and the country is not going to be slow to judge of a man who will make a contract with another nation and then come and ask his party friends to relieve him from the responsibilities of it.

Now, Mr. President, I have not any doubt about this business at all, that we have the right to enter upon this legislation. It is not general legislation, or even if it was general legislation in one sense, that is that it affects everybody in the United States, and in the world, for that matter, still it is legislation that arises out of a treaty stipulation. The rule was not intended to apply alone to treaties that had been concluded. This Senate must take notice of one thing, they will very soon have to deal with it.

In conditions that have arisen in the world and in reference to citizens of the United States we have entered China with invading forces, naval and military, and while I have not any criticisms at all to pass upon the President of the United States for the part he has taken there, I feel bound, and I think every Senator here must feel bound, by that treaty which he made in conjunction with the powers of Europe, demanding of China that they should do certain things as a preliminary to certain other things relating to compensation, indemnity, and future relations. What were those preliminary things? Mr. President, they may have been indispensable, they may have been highly necessary, they may have been very important, and to say the least of them, they were very unusual, and in the estimate of the American citizen very cruel.

I do not know what court tried these Chinamen. I do not know the legal tribunal recognized by the United States, whether in China or here, that found them guilty. They seem to have been condemned by a universal court-martial, and condemned without

trial, for the demand that was made was not that they should be tried and convicted and then executed if found guilty, but that they should be executed without trial. That has been done.

Are we bound by those acts? Yes, we are. We are bound by those acts; and if we are not, we are bound to impeach the President for having performed them. If he was a red-handed murderer, cutting off the heads of Chinamen, or if it was done under his order, he is a red-handed murderer, unless the Constitution, laws, and treaties of the United States give him that authority.

But I acquit him of all that. More than that, I praise him for his diligence and the skill and tact with which this matter has been conducted; and although it has resulted in the death of Chinese princes—it makes no difference whether they were princes or not, but human beings, in the presence of the Army of the United States and of other nations of the earth, drawn up in military array to witness that beheading—although that has been done, Mr. President, I have no blame for the President of the United States, for it seems to me, after all, to have been an act of supreme justice.

But are we going to back off from it because there was no treaty ratified by the Senate? Who has ever seen the treaty under which these Chinese men have been killed? To whom has it been communicated? What are the relations between China and the United States to-day respecting that great protocol, and it seems the great treaty that is to follow, which has been executed in such a bloody and disastrous way?

While we are doing things of that sort, Mr. President, do not let us try to escape from honorable obligations to Costa Rica and Nicaragua, based upon mutual considerations, on the ground that it is not a ratified treaty and can not be ratified. By the very terms of the agreement the President could not act under it; he could not submit it to the Senate of the United States until we first authorized him to make it.

If that is general legislation on an appropriation bill, then I think I have no just conception of the rule, and, Mr. President, I will leave the subject, after what I have said, to the Senate.

Mr. HOAR. Mr. President, I desire to move to strike out from the bill the paragraph in regard to the \$100,000 appropriation for the memorial bridge over the Potomac River. I think that technically that has been—

The PRESIDENT pro tempore. The Senator will pardon the Chair. The question before the Senate is the appeal entered by the Senator from Alabama [Mr. MORGAN] from the decision of the Chair.

Mr. HOAR. I beg pardon of the Chair. I thought that had been disposed of.

The PRESIDENT pro tempore. It has not been disposed of. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. MORGAN. I call for the yeas and nays on that, Mr. President.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULBERSON (when his name was called). I have not a general, but a liberal pair, as we call it, with the Senator from Wisconsin [Mr. QUARLES]. On this question, however, I will withhold my vote.

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah [Mr. RAWLINS], but I transfer that pair to the Senator from Kansas [Mr. BAKER] and vote. I vote "yea."

Mr. HEITFELD (when his name was called). I have a pair with the Senator from New York [Mr. PLATT], but I have arranged with the Senator from Wyoming [Mr. CLARK] to transfer pairs, so that the Senator from New York [Mr. PLATT] will stand paired with the Senator from Kansas [Mr. HARRIS]. I therefore vote. I vote "nay."

Mr. MONEY (when his name was called). If agreeable to the Senator from Wyoming [Mr. CLARK], I will transfer my pair with the Senator from Oregon [Mr. MCBRIDE] to the Senator from Kansas [Mr. HARRIS], and both the Senator from Wyoming and I can vote. I vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. NELSON (when his name was called). I have a pair with the junior Senator from Missouri [Mr. VEST], but I transfer that pair to the Senator from Colorado [Mr. WOLCOTT], and vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the Senator from Washington [Mr. TURNER]. I suggest to the Senator from Alabama [Mr. MORGAN] that we transfer our pairs, so that the Senator from Washington [Mr. TURNER] may stand paired with the Senator from Pennsylvania [Mr. QUAY]; which will enable the Senator from Alabama and myself to vote.

Mr. MORGAN. That is entirely agreeable to me, and I vote "nay."

Mr. WARREN. I vote "yea."

The roll call was concluded.

Mr. TILLMAN. I have a general pair with the Senator from Nebraska [Mr. THURSTON]. I inquire if he has voted?

The PRESIDENT pro tempore. The Chair is informed that the Senator from Nebraska has not voted.

Mr. TILLMAN. Then I shall have to withhold my vote, unless it be necessary to make a quorum.

Mr. MONEY (after having voted in the negative). I find, Mr. President, that an arrangement has already been made to transfer the pair of the Senator from Wyoming [Mr. CLARK] to the Senator from Kansas [Mr. HARRIS]. I therefore withdraw my vote.

Mr. CHILTON (after having voted in the negative). I desire to inquire if the Senator from West Virginia [Mr. ELKINS] has voted?

The PRESIDENT pro tempore. The Chair is informed that the Senator from West Virginia has not voted.

Mr. CHILTON. Then I withdraw my vote, as I am paired with that Senator.

The result was announced—yeas 36, nays 16; as follows:

YEAS—36.

Aldrich,	Cullom,	Hawley,	Martin,
Allen,	Daniel,	Hoar,	Platt, Conn.
Allison,	Dillingham,	Jones, Nev.	Proctor,
Bard,	Dolliver,	Kean,	Scott,
Beveridge,	Fairbanks,	Kearns,	Sewell,
Carter,	Frye,	Lindsay,	Shoup,
Chandler,	Gallinger,	Lodge,	Simon,
Clark,	Hanna,	McComas,	Warren,
Cockrell,	Hansbrough,	McMillan,	Wetmore.

NAYS—16.

Bacon,	Clay,	Morgan,	Stewart,
Berry,	Heitfeld,	Nelson,	Sullivan,
Butler,	Jones, Ark.	Pettigrew,	Tallaferro,
Clapp,	Mallory,	Pettus,	Teller.

NOT VOTING—36.

Baker,	Foraker,	McLaurin,	Rawlins,
Bate,	Foster,	Mason,	Spooner,
Burrows,	Hale,	Money,	Thurston,
Caffery,	Harris,	Penrose,	Tillman,
Chilton,	Kenney,	Perkins,	Turley,
Culberson,	Kyle,	Platt, N. Y.	Turner,
Deboe,	McBride,	Pritchard,	Vest,
Depew,	McCumber,	Quarles,	Wellington,
Elkins,	McEnery,	Quay,	Wolcott.

So the decision of the Chair was sustained as the judgment of the Senate.

Mr. HOAR. Mr. President, I move to reconsider the vote by which the amendment in relation to the memorial bridge across the Potomac River was adopted.

The PRESIDENT pro tempore. The Senator from Massachusetts moves to reconsider the vote by which the amendment, beginning in line 22, on page 107, relating to the memorial bridge across the Potomac River was agreed to.

Mr. HOAR. I desire to inquire if I can make the point of order on that amendment at this time? Has it been estimated for by any Department? If I can make the point of order, I shall be glad to do so.

Mr. PLATT of Connecticut. The vote by which the amendment was adopted must first be reconsidered.

Mr. HOAR. The amendment was adopted in my absence.

The PRESIDENT pro tempore. The Chair is inclined to think that the Senator might do so when the bill is in the Senate.

Mr. HOAR. I thought perhaps I might do it now.

Mr. DANIEL. I did not hear what the Chair stated.

The PRESIDENT pro tempore. The Chair thinks the Senator from Massachusetts might make the motion when the bill is in the Senate, the amendment having already been adopted as in Committee of the Whole.

Mr. HOAR. I desire to move to reconsider the vote by which the amendment was adopted.

The PRESIDENT pro tempore. The Senator can do that.

Mr. GALLINGER. I take it there is no question but what the Senator can make the point of order in the Senate.

The PRESIDENT pro tempore. The Chair has stated that it might be done in the Senate.

Mr. MORGAN. I give notice that I shall enter a motion to reconsider the vote by which the subsidy was given to St. Louis, Buffalo, and Charleston.

The PRESIDENT pro tempore. Does the Senator from Massachusetts move to reconsider the amendment to which he has referred?

Mr. HOAR. I do.

The PRESIDENT pro tempore. The Senator from Massachusetts moves to reconsider the vote by which the amendment on page 107, relating to the memorial bridge across the Potomac River, was agreed to.

Mr. STEWART. I hope that will not be done. I do not think that amendment ought to be reconsidered.

Mr. HOAR. It was passed inadvertently, and the point of order was not made.

Mr. STEWART. It has not been very inadvertently done. It is a matter which has been pending a great many years.

Mr. HOAR. My attention was not drawn to it at the time it was agreed to.

Mr. STEWART. Mr. President—

Mr. HOAR. If the Senator from Nevada will allow me, it has not been the custom of the Senate on the sundry civil bill to refuse to reconsider anything which was passed in the absence of a Senator who expected to oppose it.

Mr. STEWART. Of course, I do not want to take any advantage of the absence of the Senator, and I will not oppose the reconsideration of the amendment; but I want a fair vote on the adoption of the amendment.

Mr. DANIEL. I hope that this amendment may not be reconsidered. It is a subject which has been dealt with on the sundry civil bill, I think, for some fourteen years. The bridge has been recommended by everyone who has dealt with it without dissent anywhere—by a board of accomplished engineers, civil and military, by the Chief of Engineers of the United States Army, by the Secretary of War, and in a message of the President of the United States. It has never been before the Senate but that the Senate has favored it by a decisive vote. The matter has been under long and thorough advisement, and has been investigated in every aspect. It has gone under repeated consideration, and always with favorable results.

I would not take advantage of the absence of the Senator from Massachusetts to insist upon anything upon which he desired to be heard, but he can be heard upon his motion to reconsider. I do not see that it would be taking advantage of him to allow this amendment to remain in the position which, under the recommendation of the committee, it has obtained by the action of the Senate; nor do I perceive the motive for moving a reconsideration. The Senator will have an opportunity in the Senate, if he desires to do so, to have another vote on this amendment, and it seems to me that that is the proper and usual course to pursue.

Mr. HOAR. Mr. President, I wanted to get at it at the earliest time, and not to come in perhaps to-morrow morning.

Mr. DANIEL. The Senator can speak to it now.

Mr. HOAR. Although the Senate is in a hurry to get through, I will state, if the Senator will allow me, my views on this matter, whether the Senate agrees to them or not.

Mr. DANIEL. Very well.

Mr. HOAR. Mr. President, there is not a more thoroughly earnest and hearty advocate of this memorial bridge on this continent than I am. It has been a very favorite plan and scheme of mine from the beginning. I expect to support it heartily and with all my might, if such support will do it any good; but a plan was agreed on somewhere, or proposed, which has excited, I think, very extensive and almost universal disapprobation from the architects and experts on that subject throughout the country, although, of course, there may be some difference of opinion regarding it. Other plans have been proposed for building this bridge, one of which certainly seems to me much preferable. I think Keller is the name of the architect who conceived the plan; and it seems to me to be a much finer design than the one here proposed.

This is not a plan to begin the construction of the bridge at a cost of millions of dollars. The amendment appropriates \$100,000, and pretty much all that can be done with \$100,000 is to commit this Government to one particular plan. It is putting into the power of one man, to wit, the Secretary of War—a very competent and able gentleman, as we all know, for his high duties, though what particular skill he has in dealing with questions of architecture I do not know; but I do not wish to question it, for he is a man of such general capacity that he would be likely to have capacity in that direction—it is putting into his hands a matter that ought to be submitted to more than one judgment. One hundred thousand dollars will just commit us to one scheme, and nothing else. That is all there is of it. There is no practical advance in the construction of the bridge by this appropriation.

Here is a bridge which ought to be the most superb structure of the kind on the face of the earth. It is to be, undoubtedly, the most costly structure of the kind on the face of the earth; it is to live a thousand years; it is to outlast the architecture of Rome in its duration; it is, as we hope and believe, to be in undiminished and unimpaired magnificence and beauty, even if the time shall come which Macaulay so eloquently depicted, when some traveler from New Zealand takes his seat on some broken arch of London Bridge to sketch the ruins of St. Paul's.

I do not think we ought to commit the United States to a plan of \$100,000, or to do anything which will carry out one plan and not another. If this proposition can be so amended as to distinctly provide that nothing shall be done toward the structure which shall commit the Government to one plan for a bridge rather than another, I shall be entirely content. If reconsideration takes place, I should like to move that amendment and to

have the vote and the discussion on that. That is my reason for taking this course, and that will, I think, remove any necessity, if the Senate is now of that way of thinking, for any debate at all.

I do not want to interfere with that bridge. It has been from the time when I first heard the suggestion a plan dear to my heart, and I should be willing, if it were necessary, to double the proposed sum which was suggested a Congress or two ago. I do not think we should pause to count millions if the expenditure of millions will get the most superb work of art in the world.

There is nothing like a great bridge for architectural possibilities. Every Senator is familiar with the beauty—the noble, severe, and simple beauty—of one bridge which already exists in this neighborhood, and which, I believe, owes its origin to the taste and genius of the then Secretary of War, Mr. Jefferson Davis. Whatever else may be said in regard to that gentleman in other matters, he was a great public benefactor and contributor to the ornamental in the country when he directed the noble and simple grandeur of the Cabin John Bridge.

The proposed memorial bridge is to commemorate the Union restored; it is to connect the great sections of the country, now united and cemented in an imperishable friendship and affection, which was once for a brief time estranged. It is to last to that time, which my honorable friend from Virginia [Mr. DANIEL] so eloquently and magnificently depicted in our hearing the other day in the centennial celebration, when he said to his countrymen words which never will fail to be remembered, that this country was to last to an epoch when even the differences which existed in the period of secession or the differences in regard to the Philippine Islands, or the other questions which seemed so great to their contemporaries, become petty and trivial and almost contemptible in the view of time and before the greatness and grandeur of the country.

The memorial bridge is to be the great architectural structure commemorative of the greatest occurrence, as Americans fondly think, of the world's history, and that is the united and restored and cemented and eternal affection and union which is to exist hereafter between the two sections of this country.

Let us make no mistake; let no man, whether he travel from New Zealand or elsewhere from the ends of the earth, go away with a sneer or a disparagement or an objection after seeing the noble and faultless symmetry of that noble structure.

I do not want to count the cost; I do not want to hurry; I do not want to make a mistake; and I do not want to put into an appropriation bill, therefore, an appropriation for a hundred thousand dollars, which is only to be effective, not in advancing the work by a week or an hour, not in beginning the work in any serious fashion, but only in committing us to what may prove to be a great architectural mistake.

If the Senator from Virginia is willing to let this be reconsidered and to have a provision instructing the Secretary of War to make this expenditure, if it be necessary, in any fashion which will not commit us unnecessarily to any particular plan, I am content; otherwise, I shall press my opposition, and I shall submit to the Chair my question of order.

Mr. ALLISON. This provision relating to the memorial bridge, as it now stands in the bill, was the work, practically, of the Committee on Appropriations. The original amendment submitted by the Senator from Virginia on this subject did commit us absolutely to a plan for the construction of this bridge, or rather two or three plans, any one of which might be selected under the provisions of the original amendment.

The Committee on Appropriations shared the view of the Senator from Massachusetts. We did not believe that in a structure of this kind we should in the initiative appropriation confine ourselves to a particular plan. We had in mind appropriations which we have made twice for the construction of a bridge across Rock Creek, which is now being constructed, or the appropriation for which has been made, and the appropriations are used for the construction of piers and piers alone. We believed that upon any plan that was likely to be proposed there would necessarily be provided piers, and in committing this work to the Secretary of War we supposed it would be under the direction of the Chief of Engineers.

I think the criticism of the Senator from Massachusetts is right as respects the necessity of a plan for this structure before it is entered upon in detail. I agree to that.

This amendment was read and agreed to last night during the evening session before adjournment, and I stated distinctly then that contested amendments would be passed over. No one contested this amendment at that time. The Senator from Massachusetts was absent. I think it is due to the understanding which we had yesterday, when we commenced the consideration of this bill, that where there is a contested amendment it shall be reconsidered, and I hope that will be done, and then the Senator from Massachusetts can move such amendments as he sees proper. But I would suggest that an amendment be provided here which

shall declare that the plans shall be submitted to the Secretary of War and approved by him before any portion of this appropriation is expended.

Mr. HOAR. Or submitted to Congress.

Mr. ALLISON. I should be willing to have them submitted to Congress if necessary. But in order to reach this amendment I suggest that there be no objection to the reconsideration proposed by the Senator from Massachusetts.

Mr. MCCOMAS. If the Senator from Iowa will allow me, ought not some of this money be available to pay the engineers and architects for preparing the plans, to be submitted to the Secretary of War?

Mr. ALLISON. I think, very likely. I should be perfectly willing that \$10,000 should be used for that purpose.

Mr. MCCOMAS. Ten thousand dollars would be sufficient.

Mr. HALE. There is one thing that is very certain, that with all the schemes and plans of the different engineers who have taken an interest in this matter and who submit their own schemes, unless Congress does something now in the way of starting this project it will fall by the wayside, and nothing will be done. If we wait until everybody is satisfied, until everybody has a plan that suits him, or suits the engineer, impresses his mind, we will never have a memorial bridge.

We can make an appropriation now, a small appropriation, and leave it to the judgment of the Secretary of War to elaborate a plan and commence the work and go on with it. But if we put it over to the next session, it will be the same thing that has happened in years past. We shall not satisfy everybody, and we will be older men; we will pass out of public life and nothing will be done about this memorial bridge if we do not do it at once and take some responsibility about it. It is very easy to put it off, and if we do not start it now, and do something in the way of an appropriation, none of us will ever see a memorial bridge.

Mr. HOAR. If the reconsideration takes place that the Senator from Iowa has favored, I will move this amendment, of which I will now give notice:

Provided, That no expenditure shall be made which shall impose the necessity of adopting any particular plan or scheme, and that no such plan or scheme shall be adopted without authority of Congress.

I think that ought to satisfy the committee.

Mr. TELLER obtained the floor.

Mr. CARTER. I suggest, if the Senator from Colorado will permit me, that the amendment might be supplemented by the provision outlined by the Senator from Maryland, to wit, that the sum of \$10,000 may be used to prepare plans.

Mr. ALDRICH. I hope it will not be limited to \$10,000.

Mr. HOAR. No; such amount as in the discretion of the Secretary of War is necessary.

Mr. CARTER. Whatever may be regarded necessary by the Secretary of War.

Mr. TELLER. Mr. President, the suggestion that this sum might be used for piers seems to me rather premature. No portion of it could be used for piers until some plan is adopted, and I do not understand how any architect could devise a plan until he had some idea of what Congress is willing to appropriate. One man might get up a very handsome bridge for \$3,000,000 and another a very much better one for five, and, possibly, as suggested, for two millions. But I do not believe you can get such a bridge as the Senator from Massachusetts expects this to be without a pretty large expenditure of money.

We have had presented to us quite a number of plans. I do not remember, but I think the most expensive plan was somewhere in the neighborhood of three and a half million dollars. I may be mistaken. I examined it with all the care I could last session. I do not profess to be a judge of those things, but no plan that I have seen is of the character that I think ought to be adopted. They are certainly not such plans as the Senator from Massachusetts expects we are to adopt, and they all of them bore evidence that the architect felt he was restricted by the amount of money he was to use.

I think the wisest thing to do would be to appropriate some money and allow the architects of the country to make their plans, and to make them with an understanding that they were not limited to the absolute necessity of building the bridge. We can build a bridge across there, if that is what we want, for a comparatively small sum of money, a bridge which will be useful; but nobody supposes we are building this bridge simply for its use.

We are building the bridge as a memorial to commemorate a great event, and it is to be used, as I understand, to show the world what can be done in this age in the way of bridge building. It ought to be, as the Senator from Massachusetts says, the finest bridge in the world; and if it is to be a monumental bridge we ought not to say to the engineers, "You must keep this down to two million or two and a half or three million dollars," if they can make such a bridge as we ought to have.

No plan, in my opinion, has yet been presented that ought to be adopted. Every plan, in my opinion, is entirely too low. The bridge will never be an imposing bridge unless it is a high bridge.

The situation of the surrounding country demands that it shall be a bridge of considerable altitude, and all the plans I have seen are entirely too low, I think, from an architectural view.

Mr. GALLINGER. If the Senator from Colorado will permit me, I was attracted by his observation that as he understood the matter of the plans, the most expensive plan was about \$3,000,000. I will say to the Senator that the Burr plan modified contemplates the expenditure of nearly four and a half million dollars. It is something over \$4,000,000.

Mr. TELLER. Has that been changed since we had it last year?

Mr. GALLINGER. There are three plans submitted, I will say to the Senator, and the plan that now meets with favor in the Board of Engineers of the War Department is a modification of the two. They have taken a portion of plan No. 2, I think, and made it a part of plan No. 1, and that now is the accepted plan, if I may use that term, and it contemplates the expenditure of nearly four and a half million dollars, I think. I will ask the Senator from Virginia.

Mr. MARTIN. That is correct. It is nearly four and a half million dollars.

Mr. TELLER. I presume likely there has been some improvement since I saw the plan last year.

Mr. SPOONER. Is this combination plan the plan to which the Senator from Massachusetts refers as having been much criticised?

Mr. GALLINGER. It is. It was criticised by German architects.

Mr. TELLER. It is the plan we had before the committee last year. I do not want to see it adopted, or any of the others. I do not think any of those plans ought to be adopted. The plan that was to cost the most money—I do not remember just what it was—was perhaps the best, but it was not such a plan as we should adopt; and if we are going to go into this, I want to repeat, let us build a bridge that will be a credit, and that all the people of the world will admit is a credit, to the American people.

We have up here 8 or 10 miles the finest stone arch in the world, and we can build a bridge over here, because, as I said, the ground is well calculated to build a fine bridge, taking into consideration the surrounding hills. I hope we will now appropriate only money to get the people who are acquainted with this work to present their plans, and out of it we will adopt something that will be worthy of the American people when they build the bridge.

Mr. MARTIN. Mr. President, this matter is evidently not at all understood in the Senate, and notwithstanding the late hour and the shortness of time at the disposal of the Senate, I must ask the indulgence of the Senate until I can briefly present the matter as I understand it.

The investigation of this subject commenced as far back as 1886. Board after board has got up plans and submitted them. All the plans submitted are of course attacked by those engineers and architects who failed to prove the successful competitors in this matter. With a view to putting an end to this strife over a plan and enabling the country to get a bridge from the city of Washington to the national cemetery and to the other objects of interest on the Arlington estate, an appropriation was made, and the War Department proceeded carefully and deliberately to investigate this subject. They caused borings to be made and other investigations to commence, and reported to Congress that the amount appropriated was insufficient.

Mr. TELLER. How much was it?

Mr. MARTIN. Perhaps \$5,000, possibly \$10,000. I have not the figures immediately in mind. The last one was \$5,000; which I have before me; but there was one at the previous session of Congress, the amount of which I am not entirely certain of.

When the War Department reported that the amount appropriated was insufficient to enable it to secure proper plans for the bridge, another appropriation of \$5,000, being the amount asked for by the War Department, was made. The Secretary of War proceeded with the utmost care. He did not open the doors to all the bridge engineers and architects in the United States, but he selected what he considered four of the ablest and most distinguished men in that profession, and he required each one of those four engineers so selected to associate with him an architect to look after the architectural features while the bridge engineer looked after the engineering features, and he called upon these four engineers and architects to submit plans, and then appointed a board to examine the plans so submitted.

Mr. HOAR. May I ask the Senator from Virginia a question?

Mr. MARTIN. Certainly.

Mr. HOAR. Did I correctly understand him when I understood him to say that but four architects in this world were allowed to compete on those plans?

Mr. MARTIN. That is correct; and if any mistake has been made in the matter, it was made there. There has been no other competitor in this matter except Mr. Keller, who has had a plan that he has, in season and out of season, attempted to thrust on the consideration of Congress.

Now, I do not object, understand me, to Mr. Keller's plan. I say if any mistake was made at all, it was in not opening the door wider. I am perfectly willing for it to be opened to Mr. Keller's plans now, and to have the Secretary of War and the Board of Engineers, or any other board that the Secretary of War sees fit to appoint, carefully investigate Mr. Keller's plan, and if it is better than the others, or if it is the best one presented, to have it adopted. I am not wedded to any plan, but I must appeal to the Senate to do something that is practical, to do something that is decisive, to do something that makes some progress in this matter.

The distinguished Senator from Massachusetts [Mr. HOAR] always proclaims his earnest anxiety to have this bridge built, but he is always pulling down what has been done and offers no suggestion that will advance and build up the project about which we are all concerned. This Board of Engineers and architects was appointed by the Secretary of War to consider these plans. It was a board composed of Col. Charles J. Allen, of the Corps of Engineers; Maj. Thomas W. Symons, of the Corps of Engineers, and Capt. David D. Gaillard, of the Corps of Engineers, and Mr. Stanford White, an architect of the city of New York, perhaps as distinguished as any architect in the United States, and Mr. James G. Hill, an architect, and they were ordered to assemble in the city of Washington.

So the plans submitted were subjected to the closest scrutiny by a board consisting of three distinguished engineers of the Army and two distinguished architects, selected by the Secretary of War as a competent board to determine what plan should be adopted for this structure.

While the board had the matter under consideration and before the report was made, the President, in his annual message sent in at the first session of the Fifty-sixth Congress, used this language:

Congress at its last session appropriated \$5,000 "to enable the Chief of Engineers of the Army to continue the examination of the subject and to make or secure designs, calculations, and estimates for a memorial bridge from the most convenient point of the Naval Observatory grounds, or adjacent thereto, across the Potomac River to the most convenient point of the Arlington estate property." In accordance with the provisions of this act, the Chief of Engineers has selected four eminent bridge engineers to submit competitive designs for a bridge combining the elements of strength and durability and such architectural embellishment and ornamentation as will fitly apply to the dedication, "A memorial to American patriotism."

The designs are now being prepared, and as soon as completed will be submitted to the Congress by the Secretary of War. The proposed bridge would be a convenience to all the people from every part of the country who visit the national cemetery, an ornament to the capital of the nation, and forever stand as a monument to American patriotism. I do not doubt that Congress will give to the enterprise still further proof of its favor and approval.

This "still further proof of its favor and approval" is what I have been trying to get since this message was sent to Congress, and what I am asking to-night. The report of the board, which had not reported at the time the President's message was penned, reached Congress at the same time that the President's message reached Congress, and this Board of Army Engineers and architects, three of the former and two of the latter, recommended a plan which will cost when completed about four and a half million dollars.

I have heard some criticism of this plan because of its great cost. I have not until to-night heard that there was a desire that it should exceed this amount in cost. All want it worthy of the purposes in commemoration of which it is to be constructed. None, I take it, want to stint or be miserly or stingy in the amount ultimately to be expended. The amount can be expended in installments from year to year, and if the bridge, in its ornamental features as well as its useful ones, is completed within five or even ten years, it would be better to have it that way and to have it an honor to the country rather than to have a cheap structure, put up in a hurry.

The engineers and architects who presented this plan appeared before the Committee on the District of Columbia, and they stated that it is to be the finest bridge in the world; that there is no bridge in the world that compares with it in magnificence and in grandeur. I do not feel justified in taxing the time and attention of the Senate by going into the details of this matter, but I see no necessity for transcending the amount required to meet the plan which was adopted in this careful and painstaking way under the authority of the Secretary of War.

If any mistake has been made—I do not believe any has been—it has been in not opening the door wider. I know that, as I stated before, Mr. Keller has criticised the plan. He has devoted himself in season and out of season to criticism of this plan. He has had his own plan on exhibition in the city of Washington. But I have seen no criticism of the plan adopted by the War Department except the interested criticisms of Mr. Keller and those with whom he has talked and who have not investigated any other plan than the one presented to them by Mr. Keller.

I have heard the most satisfactory commendation of the plan adopted by the War Department, after this careful and painstaking investigation, and I firmly believe that they have recommended a structure that will be an honor to this country through

all the ages to come. They have recommended a bridge that is superb and magnificent in all of its features, finer than any bridge in the world. That was testified to before the Committee on the District of Columbia by a number of distinguished bridge builders.

Now, I say if there has been any mistake made at all, it was in limiting the competition to four competitors. That was done by the War Department because of the limited appropriation made by Congress. The gentlemen who submitted the plans expended many thousands of dollars in getting up their plans, for which they got no compensation at all. The \$5,000, which was to be expended under certain rules laid down by the War Department to aid them in getting up the plans, was a mere pittance as compared with the actual cost to the distinguished men who presented those plans in the competition.

The War Department did not have a sufficient appropriation to open the doors to the whole world, nor in my judgment was that necessary. When four of the most distinguished bridge builders in this country, each one assisted by a distinguished architect, put their minds to work on this subject they were amply equal to the occasion and able to present a plan worthy of this country in every respect. If the distinguished Senator from Massachusetts really wants to forward this matter, let the door be opened now and let Mr. Keller's plan come in.

Mr. CULLOM. And everybody else's.

Mr. MARTIN. And everybody else's plan that the Secretary of War is willing to consider. Let the Secretary of War be authorized to select a plan, but let him go to work now to expend the hundred thousand dollars, using so much thereof as may be necessary in getting additional plans, if he sees fit to get additional plans, and let him spend the balance of it in the commencement and prosecution of this work.

Mr. BEVERIDGE. May I ask the Senator from Virginia a question?

Mr. MARTIN. Certainly.

Mr. BEVERIDGE. Do I understand the last remark of the Senator from Virginia to imply that he is willing now to open this great work to competition by all the artists of the world?

Mr. MARTIN. I am perfectly willing to add to this clause as it is now in the bill that the bridge shall be built on a plan to be determined upon by the Secretary of War, and authorizing the Secretary of War to expend, in his discretion, so much of the hundred thousand dollars as may be necessary for this purpose in securing proper plans for the bridge.

Mr. BEVERIDGE. Opening the competition to the artists of the world?

Mr. MARTIN. Opening it to the whole world, if he sees fit, leaving it to the Secretary of War; and I want it open to the whole world; but I mean that the Secretary of War shall not be required to pay these competitors. Let them get up their plans at their own cost and expense. Do not fritter away this money indefinitely in securing hundreds and thousands of plans that may be submitted.

I am perfectly willing to let an amendment be put on here providing that the Secretary of War shall select a plan. I do not desire to adopt any plan. I am not a judge of these matters. I respectfully submit that very few members of the Senate are capable of judging of the plans and the designs for a great memorial bridge. It takes technical knowledge, it takes scientific knowledge and training and culture in that particular profession and art in order that a safe conclusion may be reached. I think the Secretary of War already adopted a wise plan when he selected competent experts to pass upon the plans which were submitted, but I am willing that he shall not be tied down to the plans that have been submitted, but that he may open the doors as wide as possible and consider any plan that may be presented.

I believe the distinguished chairman of the committee has drafted an amendment covering that view which will be offered, and which I hope will satisfy the Senator from Massachusetts and every other Senator who earnestly desires that this matter shall be proceeded with with a view to the accomplishment of some result, and not be kept here longer, after it has been held here in abeyance, in a tentative effort, with no practical result, from the year 1886 down to the present time.

Mr. HOAR. Mr. President, the Senator from Virginia and I are so nearly agreed now that I will not detain the Senate by many further words.

I have never, as he seems to think, had anything to do with this matter except to express my hearty desire for its accomplishment except that at a previous session of Congress, when just in the closing hours it was proposed to commit us to a small, insufficient appropriation, I suggested that we ought to have a better bridge and a larger appropriation than was then contemplated.

The difficulty with the present situation is that the competition for the greatest architectural structure in the world, as we hope and believe and expect, has been limited to four architects, instead

of being open to the whole world, and it is now proposed to have it settled by one man. The Senator agrees, and the Senate generally, I think, agree, so far as any purpose has been disclosed, to a provision that this shall be open to general competition, and I therefore suppose, if the reconsideration takes place, that amendment will be put in.

Now, the only other point of difference is that the four men, such as they were—and I dare say they were excellent men—did not know the extent and liberality and breadth of purpose of Congress. The Senator from Virginia states that the designers of these plans were hampered with the idea that we expected to build the bridge at this comparatively moderate cost. So we have plans designed by only four men, with nobody else admitted to competition, and designed by them undervaluing and underestimating the liberal feeling of Congress in the matter. Now, that is a clear mistake, as we all admit.

If the Senator from Virginia will give me his attention one moment—I think we are entirely in accord now in our feeling, with one exception—and I want to know whether the Senator on the whole does not agree with me in that. I think this ought not to be settled absolutely by one man, even with his subordinates. We do not know who will be the Secretary of War. We have a very distinguished and able gentleman whom rumor says—I do not know how true it is—is exceedingly impatient to get back to the great professional emoluments and activities which are before him in his own city. It is quite possible that if he does not do that, in the changes which may take place within a year or two he may be called to another and larger department of the Government.

We do not know who is to be Secretary of War hereafter, and I think these plans ought to come back to Congress before the five or six million dollars which have got to be expended are expended. I do not mean that the members of Congress are the best judges of architecture in this world. I do not profess to be one myself, although there are others much fitter than I am; I do not suppose any of us makes that lofty claim, but we can tell if a noble structure is proposed whether it is a noble structure, and we shall know when that comes to us what indorsement it has in the way of the approval of famous architects in the country, and in the Departments here. We shall give due weight to their judgment, but we ought to control it.

I do not know this Mr. Keller. I never spoke to him to my knowledge. I have glanced merely at this printed scheme which has been sent about. Whether it is a good one or a bad one I do not know. But eminent architects of the very highest distinction, men who have made some of the most magnificent buildings in this country, have written to me, and those who write to me write with one accord in disapproving the plan that has been selected. With one accord the eminent architects of the country condemn this proposition.

Now, what I want done is to have this appropriation made, and to have it so limited that it is not going to commit us to any one plan, to have the competition thrown open to the architects of the world, and then have the result proposed come back to Congress with the indorsements and certificates of the judgment of the Secretary of War. The Secretary of War may be some gentleman such as we have known, who would not be a better judge than the poorest judge here. But let it come back and then Congress will deal, I am sure, with a liberality that will not scrimp.

The American people want these great public works to be done in a way worthy of them. I have been here for thirty-two years, and I never heard a single American citizen who has come here, from my own State or anywhere else, complain of the money spent to acquire the splendors in this Capitol, which cost, I believe, in all from \$13,000,000 to \$15,000,000. I have never heard one single human being, of the hundreds and hundreds who have come here from my own part of the country and elsewhere and saw that noble and beautiful Library building, complain of its cost.

There is one expression from them of pride and satisfaction. A man says to himself: "I am a poor man at home, but I am one of the owners of this Capitol and this Library." Now, I want the bridge to be like unto them, and I agree with the Senator from Virginia when he says he does not want to be hurried in a way that will hurt the work.

So, Mr. President, if the Senator from Iowa has such a draft as the Senator from Virginia understands, I am sure it will be a better one than I could make, and I hope we shall have it. I hope the reconsideration may take place, and then we can dispose of this question in two or three minutes.

Mr. MARTIN. I have very hastily drawn an amendment, which I hope will meet the views of the Senator from Massachusetts. I will read it.

After the word "thereto," in line 3, page 108, insert:

On a plan to be approved by the Secretary of War, and not to cost more than the estimated cost of the bridge provided for in the plan approved by the Secretary of War, as set out in Document No. 578, House of Representatives, first session of the Fifty-sixth Congress.

That is four and a half million dollars; and I add—

Mr. HOAR. No; that is not at all what the Senator said before.

Mr. MARTIN. I am perfectly willing to leave the amount absolutely in the discretion of the Secretary of War and strike out that limitation.

Mr. HOAR. Does not the Senator propose to have him submit his plans to Congress and let us see whether we approve them?

Mr. MARTIN. I do not think it is expedient to proceed with this bridge on that plan. We have been proceeding on that idea since 1886, and we will never get a plan here under it.

Mr. BEVERIDGE. Why not leave the amount unlimited?

Mr. MARTIN. I am perfectly willing to leave the amount unlimited, though I believe the amount I have named is fully as large as will be needed. It will make the finest, the most magnificent bridge in the world. I had thought it was wiser legislation to fix some limit of cost rather than leave the Secretary of War with absolute freedom to go to any extent.

I have written the amendment with that limitation of cost. It is a liberal one. It is an ample one for the most magnificent structure in the world, and I think it is wiser legislation to put a limit on the cost and not leave to the discretion of anyone the determination of the final cost of this bridge. It ought to be limited, it seems to me, in the legislative act.

Mr. TILLMAN. I suggest to the Senator that if he will fix a lump sum of not exceeding \$5,000,000, if we are willing to go that high, or any other lump sum that the Senate may vote for, it will be much clearer and will obviate the Senator alluding to a document that very few of us have ever read or know anything about.

Mr. MARTIN. I think that suggestion is a good one and I will accept it.

Mr. HOAR. I wish you would make it \$6,000,000.

Mr. MARTIN. I think that \$5,000,000 is more than is necessary. I do not see any necessity or wisdom in it; and I believe it will weaken the bill when it goes to the House, and it will weaken it everywhere. It is an unreasonable and an unnecessary sum to spend for this purpose. Four and a half million dollars is ample. Four and a half million dollars will build a bridge finer than any in the known world. Men who have examined every important bridge in the world have testified before the Committee on the District of Columbia that this bridge, costing four and a half million dollars, will far surpass any bridge in the world. I do not believe that we ought to put in this amendment a provision for a bridge costing more than that sum.

Mr. HOAR. Make it \$5,000,000.

Mr. MARTIN. I am willing to modify the amendment so as to fix the limit at \$5,000,000, and the plan to be fixed by the Secretary of War. A further provision of my amendment is:

And the Secretary of War is authorized to expend so much of the amount hereby appropriated as may be necessary for the purpose of securing and determining on a proper plan, opening the competition to all who may desire to submit plans.

Mr. HOAR. Will the Senator read that last sentence again?

Mr. PLATT of Connecticut. Read the whole amendment as you have it now.

Mr. MARTIN. I will have to state it, as it is not all written, until I can insert the \$5,000,000 in place of the reference to the document:

On a plan to be approved by the Secretary of War, and not to cost more than \$5,000,000. And the Secretary of War is authorized to expend so much of the amount hereby appropriated as may be necessary for the purpose of securing and determining on a proper plan, opening the competition to all who may desire to submit plans.

Mr. HOAR. Well, that is right.

Mr. BEVERIDGE. That is all right.

Mr. MARTIN. That amendment I am glad to see meet the view of the Senator from Massachusetts, and I hope the Senate will adopt it.

Mr. GALLINGER. Mr. President, a single word.

As a member of the Committee on the District of Columbia I did not join in this report. At the same time I sat here last evening and allowed the amendment to be adopted, and I am not going to object to it now.

There is a difference of opinion, a very grave difference of opinion. The plan adopted by the War Department contemplates a bridge a mile long. The publications in this country devoted to architecture have condemned that plan. The Keller plan proposes to treat the banks of the river, and by embankments to shorten the bridge and make it more massive in consequence. The Burr plan proposes to put in the center of the stream two magnificent pillars, I think 260 feet high, half as high as the Washington Monument, that will be used in part to open the draw.

The Keller plan and other plans that have been suggested propose to put a magnificent arch on the Washington side, so that the approach to the bridge will be the magnificent part of it, in place of putting these structures in the center of the stream.

I am not a sufficient judge to know which is the better plan. The latter plan has rather commended itself to me, but we had

distinguished bridge builders before our committee who contended that the Burr plan, which is the plan I first described, is entirely in accordance with aesthetics and with the technique of architecture.

Now, Mr. President, I very much like the proposition just made by the Senator from Virginia, to throw this open to competition. Why, a young fellow in the Massachusetts Institute of Technology, a little time ago, won a prize over all the great architects of the country. He was but a boy, but the matter was thrown open and he produced a plan that has astonished the country. I have forgotten exactly what the structure was.

It does seem to me that in this magnificent memorial bridge, which I favor very warmly and want to see constructed at the earliest possible moment, we ought not to make any mistake in the initiative. We ought to be sure that we are right before we expend one single dollar on the structure itself. I am not a judge of those matters, but I think \$5,000,000 will not be too much, and I am inclined to think we will expend more than that before we get through with this project.

But, Mr. President, it would be a great mistake, it would be a crime, if we commenced this structure on plans that would be condemned later on and that would produce a bridge that would not be as magnificent a memorial as we ought to put over the Potomac River connecting the District of Columbia with the possessions of the Government on the Virginia side.

Now, Mr. President, I speak as a friend of this project, but I have not myself ever been able to be persuaded that we ought to go on and adopt a plan that was simply the product of four men, when we ought to have opened it, in my judgment, to the competition of the entire country.

The PRESIDENT pro tempore. The Senator from Massachusetts moves to reconsider the vote by which the amendment was adopted.

The motion to reconsider was agreed to.

The PRESIDENT pro tempore. The Senator from Virginia [Mr. MARTIN] offers an amendment.

Mr. MARTIN. It has been sent to the desk.

The PRESIDENT pro tempore. The amendment will be read to the Senate.

The SECRETARY. After the word "dollars," in line 3, page 108, insert:

Said bridge to be constructed on a plan to be approved by the Secretary of War, not to cost more than \$5,000,000. And the Secretary of War is authorized to expend so much of the amount hereby appropriated as may be necessary for the purpose of securing and determining on a proper plan, opening the competition to all who may desire to submit plans.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. HOAR. I move to amend by adding the words—

And to appoint a commission to whom said plans shall be submitted to consideration before their final adoption, to consist of not less than five architects or engineers, and to conduct the competition.

Mr. HALE. Mr. President, the result of this amendment will be to throw open the whole project. It has already been through the process of submission to the Secretary of War upon bids of four constructors, and that is not a provision so inadequate as some Senators seem to believe. The four competitors (I know nothing about who they are) represent people who are acquainted with this whole subject and submit their projects and their bids to the Secretary of War, and he decides who makes the best bid.

Mr. President, we shall never get a bridge until it is left to the decision of the Secretary of War. If you limit him and control him by a commission of five or three, nothing will be done. It will be thrown open; it will be continued from year to year, just as it has been in the past.

I hope this amendment will not prevail. I want to remind the Senator from Massachusetts of the fundamental fact that objection never built a bridge. It is something that is not objection that builds bridges. It is done by lodging the power in a central authority. This memorial bridge will never be built, it will never be entered upon, until the one central authority, the Secretary of War, decides what is the best project.

If you surround him with a commission of a half dozen architects—and there are no such cranks in the world as architects; everyone who ever built a house or has known anything about a public building knows that, skillful, able, as architects are, every one of them has his own scheme—I notify the Senators from Virginia, if they limit this to the controlling power of a commission of architects, they may bid good-by forever to the project of a memorial bridge. You have got to lodge it at last in the discretion of the Secretary of War, who, by precedent, practice, and custom controls all of these structures—who takes the counsel of his engineers and everybody else he chooses, and decides upon what shall be the plan.

Mr. MARTIN. I desire to call attention to the fact that when the Secretary of War acted on this matter before, he acted through a board of distinguished experts. I realize that under the amendment as I have offered it it will be absolutely necessary for him to

call to his aid a board of that character when he proceeds further with this matter.

I appeal to the Senator from Massachusetts that he realize as I realize, and as all Senators will realize, that the Secretary of War will do hereafter as he did before—call to his aid a board of technical men to dispose of this matter. I hope he will withdraw his amendment to my amendment and allow it to come before the Senate as I sent it to the desk.

Mr. STEWART. I hope that will be done.

Mr. HOAR. Mr. President, I do not want to interfere with the Senator's plan at all, as I have said more than once. I think all of us consider that this debate has not been lost when it is converting the Senator from Maine, who, for the last forty years, I think—I do not know exactly how long he has been in the Senate—has been the standard and the most standing objector in this world to a frame of mind which makes him see that objections never accomplish anything.

Mr. HALE. I never opposed a memorial bridge.

Mr. HOAR. I know that.

Mr. HALE. I have always been in favor of it.

Mr. HOAR. Certainly. Mr. President, it is true that objections do not build bridges, but it is also true that bridges are not very safe when they are built unless there is some care taken in laying their foundations—unless proper money is expended in making their structure strong and firm—and they are not very beautiful unless the keenest genius which is able to create great beauty is secured for their design.

Now, the Senator says that he hopes my amendment will not be adopted. The substance of my objection and criticism has been agreed to by every Senator who has spoken, unless the Senator from Maine. All that is left is this little point. I think it is better to put into the amendment in terms that the matter shall be submitted to a commission. The Senator from Virginia, whose interest and knowledge and study of the subject we all respect, thinks it is better not to put that in. I wish I could have the attention of the Senator from Maine.

Mr. HALE. I am paying attention to both Senators from Massachusetts just now.

Mr. HOAR. I have no doubt the Senator can pay attention to forty at once if he has a mind to do so.

The Senator from Virginia says that of course the Secretary of War will do exactly the thing which I propose to put in the amendment; that he has done it so far. I think, therefore, I will not take up the time of the Senate by having a yea-and-nay vote and a long talk on that point, and I will yield to the request of my honorable friend from Virginia. I withdraw the amendment.

Mr. STEWART. Mr. President, I wish to make just one remark. I am glad that the Senator from Massachusetts has withdrawn his amendment. I gave the subject all the attention I could this year. I examined Mr. Keller's plan, and I am confident the five-million limit would leave his plan out of the question, because he proposed to fill in those great flats and make it into a park. The bridge would be deeper and shorter, but I do not believe it could be built, if you fill up the flats and make a park, for \$10,000,000.

So his criticism I did not think was very valuable. The Secretary of War will undoubtedly call in the advice that is necessary under this amendment. I agree with the Senator from Maine that there ought to be a head to it, and we should concentrate it so that we can get action.

Mr. GALLINGER. I should like to hear the amendment read as amended.

The PRESIDENT pro tempore. The amendment will be read.

Mr. HOAR. I have withdrawn mine.

The Secretary read as follows:

Memorial bridge across Potomac River: To enable the Secretary of War to commence the construction of a memorial bridge from the most convenient point of the Naval Observatory grounds, or from some point adjacent thereto, across the Potomac River to the most convenient point of the Arlington estate property, or property adjacent thereto, \$100,000.

Said bridge to be constructed on a plan to be approved by the Secretary of War and not to cost more than \$5,000,000. And the Secretary of War is authorized to expend so much of the amount hereby appropriated as may be necessary for the purpose of securing and determining on a proper plan, opening the competition to all who may desire to submit plans.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. TILLMAN. As I caught the words, the \$5,000,000 is to be paid for the plans instead of the bridge?

Mr. GALLINGER. No.

Mr. TILLMAN. Read it over and see. I am speaking about the English now.

The Secretary read as follows:

Said bridge to be constructed on a plan to be approved by the Secretary of War and not to cost more than \$5,000,000.

Mr. PLATT of Connecticut. The appropriation is for \$100,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALLISON. I desire to offer a few amendments that I omitted to offer when I was on the floor before.

In the first instance, I move to change the amendment on page 3, line 17, by striking out "twenty" and inserting "twenty-eight."

The SECRETARY. In line 17, page 3, strike out "twenty" and insert "twenty-eight" before the word "thousand;" so as to read:

For rental of quarters at Cleveland, Ohio: For rental of temporary quarters for six months ending June 30, 1902, for the accommodation of Government officials, and for moving furniture, fixtures, safes, and other Government property, and other contingent expenses incidental to such removal, \$28,000.

Mr. ALLISON. A letter from the Secretary of War since the amendment was agreed to states that \$28,000 is needed.

The amendment was agreed to.

Mr. ALLISON. On page 19, line 3, after the word "marks," I move to insert the word "buoys;" and in line 4, before "Porto Rico," I move to strike out "on" and insert "for," so as to make the clause read:

Porto Rican light-house establishment: For maintaining existing aids to navigation and to establish and maintain additional day marks, buoys, and beacon lights where required for Porto Rico and adjacent islands, \$75,000.

The amendment was agreed to.

Mr. ALLISON. On line 23, page 20, I move to insert:

For Lyle gun, the beach apparatus used with it, and two surf boats of the latest improved construction, for use on the coast at or near Cape Nome, Alaska, \$2,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of War.

I have also a letter from the Secretary of the Treasury saying that this is essential.

The amendment was agreed to.

Mr. ALLISON. The Senator from New Hampshire [Mr. GALLINGER] suggests that this amendment be inserted on page 21, after line 2, as a separate and independent paragraph.

The PRESIDENT pro tempore. The amendment will be inserted at that point.

Mr. ALLISON. I offer an amendment to be inserted on page 63, after line 9.

The SECRETARY. On page 63, after line 9, insert:

That the appropriation of \$7,000 made by the sundry civil appropriation act approved June 6, 1900, for coal bin for storage of coal, to be built in connection with area of the Pension Office building, is hereby continued and made available for the fiscal year 1903, for the same purpose.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk, to come in on page 93, after line 17.

The PRESIDENT pro tempore. The amendment offered by the Senator from Iowa will be stated.

The SECRETARY. On page 93, after line 17, it is proposed to insert:

Toward the enlargement of Governors Island, \$200,000, and for the erection of storehouses and other necessary buildings, in accordance with plans reported by a board composed of Maj. Gen. John R. Brooke, Col. George L. Gillespie, and Col. Amos S. Kimball, dated July 2, 1900, \$200,000; in all, \$200,000.

The amendment was agreed to.

Mr. ALLISON. I ask that the letter of the Secretary of War, which explains thoroughly the necessity for this amendment, be printed in the RECORD.

The PRESIDENT pro tempore. It will be so ordered, in the absence of objection.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, March 1, 1901.

DEAR SIR: I beg to call your attention to an estimate of \$1,140,000 for enlargement of Governors Island, New York Harbor, and an estimate of \$335,000 for the construction of buildings thereat, made respectively by the Chief of Engineers and the Quartermaster-General, and transmitted to the Speaker of the House of Representatives December 29, 1900, and January 11, 1901, respectively (see House Docs. 255 and 319, Fifty-sixth Congress, first session, copies herewith), and to request that a moderate appropriation be included in the sundry civil bill for the commencement of this work.

A substantial progress can be made, which in itself would be of great value to the Government, by an appropriation of \$200,000 for the enlargement of Governors Island and \$100,000 for the erection of storehouses and other necessary buildings in accordance with the plan reported by a board composed of Maj. Gen. John R. Brooke, Col. George L. Gillespie, and Col. Amos S. Kimball, dated July 21, 1900.

I transmit herewith a copy of the report of the board and of the maps which accompanied the same.

Let me briefly repeat the explanation which I have already made to you orally as to the purposes of the work and the reason why your attention is especially called to it at this late day. The interests of the military administration call for the use of very extensive facilities in and about the harbor of New York for storehouses, wharves, administration buildings, and other land and structures for the conduct of the enormous business involved in the support of the Army and its operations.

I find that we are now paying in rentals at that point over \$97,000 per annum. At the same time we have, in the very center of the city, 57 acres of land constituting Governors Island, upon which are a number of buildings, very old, dilapidated, ill adapted to their purposes, and without wharves or bulkheads which are necessary to enable us to utilize the property.

Ordinary economy would dictate to any private person that, having such a valuable property, admirably adapted to the purposes of his business, he should utilize it instead of allowing it to lie unused while hiring facilities from others. Early last summer I convened a board composed of the officers whom I have named above, to consider and report plans for the improvement of the Government property in the island in such a way that it would be properly utilized.

The report of that board has been submitted to General Merritt, who was then in command, to General Brooke, who is now in command, to the Chief of Engineers, to Lieutenant-General Miles, and to many other of our recognized military authorities, and all agree that the execution of the plan is not only desirable upon ordinary business principles, but that it is of primary importance as a matter of preparation for any exigency that may require the use of troops and of military supplies upon the Atlantic seaboard or at any point in the West Indies or Central America.

If we construct an isthmian canal, it will be especially important that we should have some point where men, ships, and supplies can be readily brought together, so that without any such delays and confusion as were incident to the beginning of the Santiago expedition of 1898 an effective movement may be inaugurated. We have such a point in Governors Island.

The great number of railroads with extensive terminal facilities converging at the harbor of New York, and the enormous travel and freightage passing over those roads adapted to meet the fluctuating demands of three millions and a half of people, would make it possible to send, without any previous especial arrangements whatever, an army of any ordinary size and almost unlimited supplies for such an army to that point and put them on shipboard, provided only that we have the facilities at Governors Island for storage, the wharf accommodations for vessels, and room for transshipment.

The board found that if the United States could acquire the shoal land under water lying to the south of the island and fill it in, we could both acquire additional shipping facilities with deep-water frontage and immensely increase the facilities of the island by adding to its acreage; and their plan contemplates such a course. The land which they proposed to use, if acquired and filled, would add something over 70 acres to the present island, which is in the neighborhood of 57 acres.

The first thing, manifestly, to be done toward carrying out the plan was to acquire the title to this additional land. To that I have addressed myself and have been securing the passage through the legislature of New York of a law authorizing the commissioners of the land office of the State to convey the land and cede jurisdiction to the United States. Until such an act was passed, for reasons which will be apparent, I could not urge an appropriation. The act was signed by the governor on the afternoon of day before yesterday.

I wish to urge the consideration of this, both as a matter of plain business policy and as a matter of the highest importance in the way of the preparation of a strategic point for service in case of any of the exigencies to meet which the Army is maintained.

Very respectfully, yours,

ELIHU ROOT,
Secretary of War.

Hon. WM. B. ALLISON,
Chairman Committee on Appropriations, United States Senate.

Mr. ALLISON. On page 6, after line 21, I move to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 6, after line 21, it is proposed to insert:

For necessary alterations in the Newport, R. I., post-office, and to provide additional space for the money-order, registry, and stamp divisions, \$20,000, to be immediately available.

The amendment was agreed to.

Mr. ALLISON. I offer an amendment, to come on page 65, after line 12, which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 65, after line 12, it is proposed to insert:

For the purpose of providing the document room of the Senate with fire-proof shelving, under the direction of the Architect of the Capitol, \$67,500, to be immediately available.

The amendment was agreed to.

Mr. HALE. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. At the bottom of page 144 it is proposed to insert:

That the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of preparing and improving a site and erecting and completing the erection of a monument to the memory of Dorothea Lynde Dix on the property now owned by the National Dorothea Dix Memorial Association at Hampden.

Mr. ALLISON. I ask the Senator from Maine if there is any law or authority for this amendment?

Mr. HALE. It is so meritorious that I think no doubt there is a law for it, though I am not able to find it at the present moment. I hope the Senator will allow the amendment to be inserted.

Mr. ALLISON. I feel constrained to make the point of order on the amendment.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. KEAN. I offer the amendment which I send to the desk, to come in on page 7. Newport, R. I., and Newark, N. J., are pretty close together, and I trust that I may get this little amendment for Newark adopted.

The PRESIDENT pro tempore. The amendment proposed by the Senator from New Jersey will be stated.

The SECRETARY. On page 7, after line 3, it is proposed to insert:

For the completion of the custom-house and post-office building at Newark, N. J., by a one-story addition, with basement, heating and ventilating apparatus, as required for carriers' room and storage, according to plans of the Secretary of the Treasury, \$85,000.

Mr. ALLISON rose.

Mr. KEAN. I hope the Senator from Iowa will not object to this amendment.

Mr. ALLISON. I am constrained to make the point of order on the amendment.

Mr. KEAN. I think the point of order does not lie against it.

Mr. ALLISON. It is for a public building, and I do not know that there is a law for it, or that it has been reported from any committee.

Mr. KEAN. It was reported from the Committee on Public Buildings and Grounds.

The PRESIDENT pro tempore. And referred to the Committee on Appropriations?

Mr. KEAN. Yes; it was referred to the Committee on Appropriations.

The PRESIDENT pro tempore. The Chair overrules the point of order. The question is on the amendment.

The amendment was agreed to.

Mr. MONEY. I desire to call up the amendment I offered early in the evening, which I consented to have put aside at the request of the Senator from Iowa [Mr. ALLISON], in charge of the bill.

The PRESIDENT pro tempore. The amendment referred to by the Senator from Mississippi will be stated.

The SECRETARY. On page 8, after line 6, it is proposed to insert:

For the purchase of the property known as the Corcoran Art Gallery, in the city of Washington, D. C., \$332,500, and the Secretary of the Treasury be, and he is hereby, empowered and directed to acquire for and in the name of the United States, for the purpose hereinafter provided, the following-described real estate, with the improvements thereon, known and designated as original lots Nos. 5, 6, 7, and 8, in square 167, in the city of Washington, D. C., and containing 17,733 square feet, lying and being at the corner of Pennsylvania avenue and Seventeenth street NW., fronting on Pennsylvania avenue 106 feet and on Seventeenth street 160 feet, and being the property of the Corcoran Gallery of Art.

Said property to be used by the Court of Claims, or for such other purposes as may be determined: *Provided*, That the same can be secured for a sum not exceeding \$332,500; and so much of the act entitled "An act to provide for the erection of a building for the Department of Justice," approved March 3, 1899, as provides "that said building shall be constructed so as to provide a court room and necessary accommodations for the Court of Claims," be, and the same is hereby, repealed.

Mr. ALLISON. That, I take it, is in the law, and I shall not object to it.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Mississippi [Mr. MONEY].

The amendment was agreed to.

Mr. SHOUP. I offer the amendment which I send to the desk, to come in on page 122, after line 10.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Idaho will be stated.

The SECRETARY. On page 122, after line 10, it is proposed to insert:

The Board of Managers of the National Home for Disabled Volunteer Soldiers shall cause to be inspected the buildings on the Fort Sherman Military Reservation, in Idaho, and the grounds contained therein, and make a report to Congress at its next session relative to the advisability of establishing a Branch Home for Disabled Volunteer Soldiers at that place, and what additional buildings, if any, should be erected thereon for the use of such a Branch Home.

The amendment was agreed to.

Mr. DANIEL. I desire to offer an amendment of three lines, to come in before the amendment proposed by the Senator from Indiana [Mr. FAIRBANKS], in regard to the appointment of commissioners for the revision of the laws. Before the first word, "That," in the amendment of the Senator from Indiana, I move to insert:

The President of the United States is hereby authorized to nominate and appoint, with the advice and consent of the Senate, five commissioners, inclusive of.

Then follows the amendment as adopted on the motion of the Senator from Indiana:

The commissioners heretofore appointed in pursuance of an act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897, to revise and codify the criminal and penal laws of the United States, be, and they are hereby, directed to revise and codify, in accordance with the terms and provisions of said act and the acts supplementary thereto, all laws of the United States of a permanent and general nature in force at the time when the same shall be reported.

I beg leave to say that the amendment as I formerly offered it was submitted to the consideration of the chairman of the Judiciary Committee [Mr. HOAR] and to the chairman of the Committee on the Revision of Laws [Mr. BURROWS], and they stated that it was entirely satisfactory to them. Had the Senator from Michigan been here, I think he would have accepted it; but the part which made provision as to separation, as to some being of one party and some of another, was objected to. I have now put the amendment in such form that I think there can be no objection to it.

Mr. FAIRBANKS. Mr. President, if I understand the Senator's amendment, it differs from his former amendment in this: That the President is not restricted, in nominating the commissioners, to any particular party.

Mr. DANIEL. Undoubtedly.

Mr. FAIRBANKS. And the only change made from my amendment is to provide for the appointment of five instead of three commissioners.

Mr. DANIEL. That is all.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Virginia [Mr. DANIEL].

The amendment was agreed to.

Mr. DANIEL. I wish to call the attention of the Senator from Indiana [Mr. FAIRBANKS] to his amendment. The word "be," in line 7 of the original amendment offered by the Senator from Indiana ought to be stricken out, to meet the changed grammatical construction of the amendment. I have shown it to that Senator, and anyone who will read it will see that the word "be" is not necessary. The words "and they are hereby" are all sufficient.

The amendment was agreed to.

Mr. WARREN. I ask for the adoption of the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Wyoming will be stated.

The SECRETARY. After line 15, on page 7, it is proposed to insert:

That to enable the Secretary of the Treasury to complete the public building at Cheyenne, Wyo., the provisions of the act of Congress approved June 11, 1896, entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes," are hereby amended so as to extend the limit of cost of said building and site to \$325,000, and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of said building within the limit of the cost hereby fixed.

Mr. ALLISON. That has been provided for in another bill. I call the attention of the Senator from Indiana [Mr. FAIRBANKS] to the amendment just offered by the Senator from Wyoming [Mr. WARREN]. I am willing that the amendment may be agreed to, and it can be stricken out in conference if it shall be found that it has already been provided for.

Mr. WARREN. That is entirely satisfactory. I should like to have it go into the bill tentatively.

The amendment was agreed to.

Mr. GALLINGER. I submit an amendment, which has been very carefully considered by the Committee on Commerce, favorably reported, and very strongly urged by the Superintendent of the Life-Saving Service. I move to strike out all after line 16, on page 19, to and including line 2, on page 21, and to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to strike out, after line 16, on page 19, all to and including line 2, on page 21, and to insert:

For salaries of superintendents of the Life-Saving Service, as follows:
For the superintendents of the First, Second, Fourth, Fifth, Sixth, Seventh, Eleventh, Twelfth, and Thirteenth districts, \$2,500 per annum each.
For the superintendents of the Third, Ninth, and Tenth districts, \$2,000 per annum each.
For the superintendent of the Eighth district, \$1,500 per annum.

Mr. GALLINGER. I trust the Senator from Iowa will allow that amendment to go in. I will not detain the Senate if he will, but otherwise I shall want to make a little appeal.

I will say that this is very strongly recommended by the Superintendent of the Life-Saving Service. He is asking for it. It has been very carefully considered by the Committee on Commerce and favorably reported. I hope the Senator will let it go into the bill and consider it in conference. I think he will see the justice of the provision.

Mr. ALLISON. I desire to say a word respecting this amendment. I am quite sure that it can not be finally agreed to, but I do not wish to occupy further time with this bill. If the bill is to be passed at all, it must be passed to-night. This proposition has not been considered by the other House, so far as I know, nor has it passed the Senate; and it changes existing law in many particulars.

Mr. GALLINGER. At one time it was favorably reported in the other House, if I may be permitted to cite that fact.

Mr. ALLISON. And I ought not to have cited any fact respecting the other House. I make the point of order on the amendment.

Mr. GALLINGER. I do not think the point of order will lie against the amendment. It covers precisely the text that is in the bill, changing slightly the appropriation, and it has been reported by a standing committee.

The PRESIDENT pro tempore. Was it reported from the Committee on Commerce?

Mr. GALLINGER. It was.

The PRESIDENT pro tempore. Then the Chair overrules the point of order. The question is on agreeing to the amendment submitted by the Senator from New Hampshire [Mr. GALLINGER].

Mr. MALLORY. I should like to inquire of the Senator from New Hampshire what are the stations provided for in the amendment? It is impossible to tell from the numbers, and I have not any book before me to which I can refer. The amendment was read, merely giving the stations by numbers.

Mr. GALLINGER. It includes all of the thirteen stations. They are numbered. I will say that I find that this amendment was reported from the Committee on Commerce, but I can not give

the Senator the precise stations by name. The salaries, however, are fixed entirely in proportion to the importance of the station and the increased work the superintendents have had imposed upon them.

Mr. MALLORY. I understand that, but at the same time I should like to exercise my own judgment in reference to the matter, or at least I should like to have the opportunity to do so. We have some life-saving stations on the Gulf, which I think are as important as those anywhere else.

Mr. GALLINGER. Undoubtedly; and beyond all question they are equally cared for under this amendment.

Mr. MALLORY. I should like to have the names of the stations stated.

Mr. GALLINGER. Unfortunately, I can not state the names.

Mr. MALLORY. I presume the names of the stations are given in the original bill. We can not tell what they are from the mere reading of numbers.

Mr. ALLISON. There is no doubt, I will say to the Senator from Florida, that they are all included. This is an amendment revising the entire scheme of life-saving stations.

Mr. GALLINGER. It increases the salaries to the amount of \$7,500. We have just given \$10,000 for two additional commissioners, and I think we can afford to give something to the 13 superintendents of life-saving stations in this country. Their compensation is utterly inadequate.

Mr. MALLORY. I agree with the Senator about that. The only question with me is why some of the superintendents should be discriminated against in the increase of salaries.

Mr. GALLINGER. I will say to the Senator, if he will turn to the text of the bill, he will notice that the salaries are not all equal under the existing scheme.

Mr. MALLORY. Yes; I notice that.

Mr. GALLINGER. And the increase is simply upon that basis. It is entirely fair so far as the increase is concerned.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from New Hampshire.

The amendment was agreed to.

Mr. GALLINGER. For the information of the conference committee—and I have no doubt they will have time to read it—I will ask to put in the RECORD the report of the Committee on Commerce in regard to the amendment just adopted.

Mr. ALLISON. I can say to the Senator that we have a great number of copies of that report in the room of the Committee on Appropriations. I think every member has read that report.

Mr. GALLINGER. Very well. That being the case, I will withdraw the request.

Mr. ALLISON. I think it is not necessary.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. The Senator from Alabama [Mr. MORGAN] entered a motion to reconsider one amendment.

Mr. MORGAN. I claim a separate vote in the Senate, Mr. President, on the amendment bestowing bounties on St. Louis, Buffalo, and Charleston. I want to get our friends on record, so we shall know who they are.

The PRESIDENT pro tempore. Does the Senator from Alabama desire a separate vote on the amendment about which he entered a motion to reconsider?

Mr. MORGAN. Yes.

The PRESIDENT pro tempore. In the absence of objection, all the amendments made as in Committee of the Whole, with the exception of the amendment reserved by the Senator from Alabama, will be concurred in. The question is on concurring in the amendment relating to the Buffalo, the Louisiana purchase, and the South Carolina expositions. [Putting the question.] By the sound, the ayes have it. The ayes have it, and the amendment is concurred in.

Mr. MORGAN. I call for the yeas and nays, Mr. President.

The PRESIDENT pro tempore. Is there a second to the demand for the yeas and nays?

The yeas and nays were not ordered.

Mr. MORGAN. I should like to have a record of the names of those who second the demand.

Mr. SULLIVAN. I suggest the absence of a quorum.

Mr. CLAY. I ask the Senator to withdraw that suggestion.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Allison,
Bard,
Berry,
Beveridge,
Butler,
Carter,
Clapp,
Clark,
Clay,
Cockrell,
Cullom,

Daniel,
Fairbanks,
Frye,
Gallinger,
Hale,
Hanna,
Hawley,
Heitfeld,
Kean,
Kearns,
Lodge,

McMillan,
Mallory,
Martin,
Morgan,
Nelson,
Pettigrew,
Pettus,
Platt, N. Y.,
Proctor,
Scott,
Sewell,

Shoup,
Spooner,
Stewart,
Sullivan,
Taliaferro,
Teller,
Tillman,
Warren.

The PRESIDENT pro tempore. On the roll call 41 Senators have answered to their names. A quorum is not present.

Mr. ALLISON. I ask that the roll of absentees be called.

The PRESIDENT pro tempore. The roll of absentees will be called.

The Secretary read the list of absent Senators.

Mr. ALLISON. I move that the Sergeant-at-Arms be directed to notify the absent Senators that their presence is necessary in the Senate.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant-at-Arms will execute the order of the Senate.

At 12 o'clock and 35 minutes a. m. (Saturday, March 2) Mr. PENROSE entered the Chamber and responded to his name.

At 1 o'clock a. m. Mr. PRITCHARD entered the Chamber and answered to his name.

Mr. PENROSE (at 1 o'clock and 7 minutes a. m.). Mr. President, I rise to a parliamentary inquiry. I should like to know the exact status of the business of the Senate at this time.

The PRESIDING OFFICER (Mr. SHOUP in the chair). The Chair will state to the Senator from Pennsylvania that at this time, the attention of the Senate having been called to the absence of a quorum, the Sergeant-at-Arms is trying to secure the attendance of absent Senators, of whom the Senator from Pennsylvania was the first to respond.

Mr. TILLMAN. Mr. President, would it be in order to send the assistant sergeant-at-arms after the Sergeant-at-Arms?

The PRESIDING OFFICER. The assistant sergeant-at-arms is already performing his duty.

At 1 o'clock and 10 minutes a. m. Mr. WELLINGTON entered the Chamber and responded to his name.

At 1 o'clock and 12 minutes a. m. Mr. DILLINGHAM entered the Chamber and responded to his name.

The PRESIDENT pro tempore. Forty-five Senators have answered to their names. There is a quorum present.

Mr. ALLISON. I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The PRESIDENT pro tempore. Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

NICARAGUA CANAL.

Mr. CLAY. I desire to give notice that to-morrow morning, after the routine business is completed, I shall address the Senate briefly on the bill providing for the construction of the Nicaragua Canal.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty minutes spent in executive session the doors were reopened.

NORTHERN PACIFIC RAILROAD LANDS.

Mr. BUTLER. I enter a motion to reconsider the vote by which the Senate passed the bill (S. 4306) for the relief of settlers under the public-land laws to lands within the indemnity limits of the grant to the Northern Pacific Railroad Company.

The PRESIDENT pro tempore. The motion to reconsider will be entered.

Mr. PETTIGREW. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 40 minutes a. m., Saturday, March 2, 1901) the Senate adjourned until Saturday, March 2, 1901, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 1, 1901.

ASSISTANT SECRETARY OF THE TREASURY.

Milton E. Ailes, of Ohio, to be Assistant Secretary of the Treasury, to succeed Frank A. Vanderlip, resigned.

POSTMASTERS.

T. T. Smith, to be postmaster at Fort McPherson, Fulton County, Ga., in place of O. T. Adams, resigned.

James W. Hughes, to be postmaster at Huntington, Cabell County, W. Va., in place of J. A. Hughes, resigned.

Robert A. Miller, to be postmaster at Ponce, Porto Rico; an original vacancy under the provisions of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 10, 1900.

J. M. Cheney, to be postmaster at Sonoma, Sonoma County, Cal., in place of A. H. Bates. Incumbent's commission expired January 12, 1901.

Ambrose C. Montross, to be postmaster at Larchmont, Westchester County, N. Y., in place of B. F. Palmer. Incumbent's commission expired January 7, 1901.

APPOINTMENTS IN THE VOLUNTEER ARMY.

THIRTIETH INFANTRY.

Battalion Sergt. Maj. George J. Harman, Thirtieth Infantry, United States Volunteers, to be second lieutenant, February 26, 1901, vice Errington, promoted.

PROMOTIONS IN THE VOLUNTEER ARMY.

THIRTIETH INFANTRY.

Maj. Leonard A. Lovering, Thirtieth Infantry, United States Volunteers, to be lieutenant-colonel, February 20, 1901, vice Campbell, appointed brigadier-general.

Capt. Charles P. Newberry, Thirtieth Infantry, United States Volunteers, to be major, December 31, 1900, vice Hartigan, resigned.

Capt. Kenneth M. Burr, Thirtieth Infantry, United States Volunteers, to be major, February 20, 1901, vice Lovering, promoted.

First Lieut. Frank D. Buckingham, Thirtieth Infantry, United States Volunteers, to be captain, December 31, 1900, vice Newberry, promoted.

First Lieut. Albert E. McCabe, Thirtieth Infantry, United States Volunteers, to be captain, February 20, 1901, vice Burr, promoted.

Second Lieut. Charles H. Errington, Thirtieth Infantry, United States Volunteers, to be first lieutenant, December 31, 1900, vice Buckingham, promoted.

Second Lieut. William F. Pack, Thirtieth Infantry, United States Volunteers, to be first lieutenant, February 20, 1901, vice McCabe, promoted.

PROMOTIONS IN THE ARMY.

ARTILLERY CORPS.

Second Lieut. Walter S. Volkmar, Artillery Corps, to be first lieutenant, February 2, 1901 (subject to examination required by law), vice Hayden, promoted.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. Earl I. Brown, Corps of Engineers, February 2, 1901, to fill an original vacancy.

Second Lieut. Amos A. Fries, Corps of Engineers, February 2, 1901, to fill an original vacancy.

Second Lieut. James A. Woodruff, Corps of Engineers, February 2, 1901, vice Bromwell, promoted.

Second Lieut. William Kelly, Corps of Engineers, February 2, 1901, vice Cosby, promoted.

Second Lieut. Horton W. Stickle, Corps of Engineers, February 2, 1901, vice Sewell, promoted.

Second Lieut. Lewis H. Rand, Corps of Engineers, February 2, 1901, vice McIndoe, promoted.

Second Lieut. Edward M. Markham, Corps of Engineers, February 2, 1901, vice Morrow, promoted.

Second Lieut. Thomas H. Jackson, Corps of Engineers, February 2, 1901, to fill an original vacancy.

Second Lieut. George B. Pillsbury, Corps of Engineers, February 2, 1901, to fill an original vacancy.

Second Lieut. Gustave R. Lukesh, Corps of Engineers, February 2, 1901, to fill an original vacancy.

Second Lieut. Edmund M. Rhett, Corps of Engineers, February 2, 1901, to fill an original vacancy.

CORPS OF ENGINEERS.

Second Lieut. Edward M. Adams, Corps of Engineers, to be first lieutenant, February 2, 1901, to fill an original vacancy.

POSTMASTERS.

Albert E. Martz, to be postmaster at Arcadia, Hamilton County, Ind. Office became Presidential January 1, 1901.

William H. Nolte, to be postmaster at Holstein, Ida County, Iowa, in place of S. B. Gilmore, resigned.

Watson J. Matteson, to be postmaster at Marcellus, Onondaga County, N. Y. Office became Presidential April 1, 1900.

George C. Burrows, to be postmaster at Montoursville, Lycoming County, Pa., in place of David Trump. Incumbent's commission expired February 23, 1901.

Roderick Weagant, to be postmaster at Grafton, Walsh County, N. Dak., in place of J. D. Robertson. Incumbent's commission expired January 15, 1900.

UNITED STATES ATTORNEY.

Reese Blizzard, of West Virginia, to be attorney of the United States for the district of West Virginia, vice Joseph H. Gaines, resigned.

RECEIVER OF PUBLIC MONEYS.

August F. George, of Crookston, Minn., to be receiver of public moneys at Crookston, Minn. Reappointment from May 19, 1901, when his present term will expire.

REGISTERS OF LAND OFFICES.

Sylvester Peterson, of Ada, Minn., to be register of the land office at Crookston, Minn. Reappointment from March 24, 1901, when his present term will expire.

Wat Theodore Beall, of Leadville, Colo., to be register of the land office at Leadville, Colo. Reappointment from April 14, 1901, when his present term will expire.

MINERAL-LAND COMMISSIONERS.

John T. Ingram, of Bozeman, Mont., to be a mineral-land commissioner in Montana, vice William W. Alderson, resigned.

Daniel Arms, of Philipsburg, Mont., to be a mineral-land commissioner in Montana, vice Joseph C. Auld, resigned.

George L. Wales, of Helena, Mont., to be a mineral-land commissioner in Montana, vice John W. Eddy, resigned.

PENSION AGENT.

Oscar A. Janes, of Hillsdale, Mich., to be pension agent at Detroit, Mich. Reappointment from March 8, 1901, when his present term will expire.

APPOINTMENTS IN THE NAVY.

Frederick G. Pyne, a citizen of New Jersey; Frederick B. Colby, a citizen of New York; Edward E. Goodhue, a citizen of Massachusetts, and William R. Bowne, a citizen of Pennsylvania, to be assistant paymasters in the Navy from the 28th day of February, 1901, to fill vacancies existing in that corps.

Reuben E. Bakenhus, a citizen of Illinois, to be a civil engineer in the Navy from the 27th day of February, 1901, to fill a vacancy existing in that corps.

PROMOTION IN THE NAVY.

Former P. A. Surg. John F. Bransford, United States Navy, to be a surgeon in the Navy from the 5th day of February, 1901; said officer, upon confirmation, to be placed on the retired list of the Navy.

CONSUL.

Frank W. Jackson, of Pennsylvania, to be consul of the United States at Patras, Greece, vice George L. Dart, resigned.

APPOINTMENTS IN THE VOLUNTEER ARMY.

THIRTY-SECOND INFANTRY.

Q. M. Sergt. George G. Dennis, Company G, Thirty-second Infantry, to be second lieutenant, March 1, 1901, vice Wilson, honorably discharged.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Second Lieut. John R. Slattery, Corps of Engineers, to be first lieutenant, February 2, 1901, to fill an original vacancy.

ORDNANCE DEPARTMENT.

First Lieut. Lawson M. Fuller, Ordnance Department, to be captain, February 2, 1901 (subject to examination required by law), vice Russell, promoted.

First Lieut. Charles C. Jamieson, Ordnance Department, to be captain, February 7, 1901, vice Birnie, promoted.

CAVALRY ARM.

Capt. John F. Guilfoyle, Ninth Cavalry, to be major, February 28, 1901, to fill vacancy caused by detail of Dorst, Second Cavalry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Charles H. Watts, Fifth Cavalry, to be major, February 28, 1901, to fill vacancy caused by detail of Thomas, Fifth Cavalry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Frank A. Edwards, First Cavalry, to be major, February 28, 1901, to fill vacancy caused by detail of Parker, Fourth Cavalry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Eugene A. Ellis, Eighth Cavalry, to be major, February 28, 1901, to fill vacancy caused by detail of Fountain, Ninth Cavalry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Matthias W. Day, Ninth Cavalry, to be major, February 28, 1901, to fill vacancy caused by detail of McClelland, unassigned, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Walter L. Finley, Ninth Cavalry, to be major, February 28, 1901, to fill vacancy caused by detail of Wilder, unassigned, to a staff department, under sections 26 and 27, act of February 2, 1901.

ARTILLERY CORPS.

Capt. Charles Humphreys, Artillery Corps, to be major, February 28, 1901, to fill vacancy caused by detail of Davis, Artillery Corps, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Luigi Lomia, Artillery Corps, to be major, February 28,

1901, to fill vacancy caused by detail of Strong, Artillery Corps, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Alexander D. Schenck, Artillery Corps, to be major, February 28, 1901, to fill vacancy caused by detail of Caziarc, Artillery Corps, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Sedgwick Pratt, Artillery Corps, to be major, February 28, 1901 (subject to examination required by law), to fill vacancy caused by detail of Potts, Artillery Corps, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. John McClellan, Artillery Corps, to be major, February 28, 1901 (subject to examination required by law), to fill vacancy caused by detail of Taylor, Artillery Corps, to a staff department, under sections 26 and 27, act of February 2, 1901.

INFANTRY ARM.

Capt. Robert J. C. Irvine, Eleventh Infantry, to be major, February 28, 1901, to fill vacancy caused by detail of Smith, First Infantry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Edward E. Hardin, Seventh Infantry, to be major, February 28, 1901, to fill vacancy caused by detail of Reynolds, Twentieth Infantry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Richard H. Wilson, Eighth Infantry, to be major, February 28, 1901, to fill vacancy caused by detail of Greene, Fourteenth Infantry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. William B. Reynolds, Fourteenth Infantry, to be major, February 28, 1901 (subject to examination required by law), to fill vacancy caused by detail of Ballance, Thirteenth Infantry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Frank F. Eastman, Fourteenth Infantry, to be major, February 28, 1901, to fill vacancy caused by detail of Crane, Sixteenth Infantry, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Lea Febiger, Twenty-third Infantry, to be major, February 28, 1901, to fill vacancy caused by detail of Sharpe, unassigned, to a staff department, under sections 26 and 27, act of February 2, 1901.

Capt. Bernard A. Byrne, Sixth Infantry, to be major, February 28, 1901, to fill vacancy caused by detail of Irons, unassigned, to a staff department, under sections 26 and 27, act of February 2, 1901.

CAVALRY ARM.

Capt. Thaddeus W. Jones, Tenth Cavalry, to be major, February 2, 1901 (subject to examination required by law), to fill an original vacancy.

Capt. Francis H. Hardie, Third Cavalry, to be major, February 2, 1901 (subject to examination required by law), to fill an original vacancy.

Capt. George K. Hunter, Third Cavalry, to be major, February 2, 1901 (subject to examination required by law), to fill an original vacancy.

INFANTRY ARM.

Capt. James A. Irons, Twentieth Infantry, to be major, February 2, 1901, to fill an original vacancy.

CAVALRY ARM.

Capt. Louis A. Craig, Sixth Cavalry, to be major, February 17, 1901, vice Cooper, Fifth Cavalry, promoted.

Capt. Wilber E. Wilder, Fourth Cavalry, to be major, February 19, 1901, vice Edgerly, Seventh Cavalry, promoted.

ARTILLERY CORPS.

Capt. Sydney W. Taylor, Artillery Corps, to be major, February 28, 1901, vice Kobbé, appointed brigadier-general, United States Army.

WITHDRAWAL.

Executive nomination withdrawn March 1, 1901.

William W. Champion, to be postmaster at Montoursville, in the State of Pennsylvania.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 1, 1901.

APPOINTMENT IN THE NAVY.

Charles A. Bontelle, a citizen of Maine, formerly a volunteer lieutenant on the active list of the Navy, to be a captain on the retired list of the Navy.

PROMOTIONS IN THE NAVY.

Commander Robert M. Berry, to be a captain in the Navy, from the 19th day of February, 1901.

Lieut. Commander Daniel D. V. Stuart, to be a commander in the Navy, from the 19th day of February, 1901.

Lieut. William R. Rush, to be a lieutenant-commander in the Navy, from the 19th day of February, 1901.

Lieut. (Junior Grade) Wilfrid V. N. Powelson, to be a lieutenant in the Navy, from the 19th day of February, 1901.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Third Lieut. Oscar G. Haines, of New Jersey, to be a second lieutenant in the Revenue-Cutter Service of the United States.

Second Lieut. Staley M. Landrey, of Maryland, to be a first lieutenant in the Revenue-Cutter Service of the United States.

Second Lieut. Ellsworth P. Bertholf, of New Jersey, to be a first lieutenant in the Revenue-Cutter Service of the United States.

First Lieut. Walstein A. Failing, of New York, to be a captain in the Revenue-Cutter Service of the United States.

Third Asst. Engineer Charles S. Root, of New York, to be a second assistant engineer in the Revenue-Cutter Service of the United States.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major-general.

Brig. Gen. William R. Shafter, United States Army, retired (major-general, United States Volunteers), February 18, 1901.

To be brigadier-general.

Col. Aaron S. Daggett, Fourteenth Infantry, United States Army, February 21, 1901.

INFANTRY ARM.

Sergt. William J. Schmidt, Company M, Twelfth Infantry, United States Army, to be second lieutenant, February 3, 1901.

QUARTERMASTER'S DEPARTMENT.

First Lieut. Joseph T. Crabbs, Eighth Cavalry, to be quartermaster, with the rank of captain, February 2, 1901.

First Lieut. Louis B. Lawton, Ninth Infantry, to be quartermaster, with the rank of captain, February 2, 1901.

SUBSISTENCE DEPARTMENT.

First Lieut. Arthur M. Edwards, Fourteenth Infantry, to be commissary, with the rank of captain, February 2, 1901.

CORPS OF ENGINEERS.

To be second lieutenants.

1. Cadet Edward N. Johnston.
2. Cadet Clarence O. Sherrill.
3. Cadet John H. Poole.
4. Cadet Ernest D. Peek.
5. Cadet Walter H. Lee.
6. Cadet George R. Spalding.
7. Cadet Elliott J. Dent.
8. Cadet William G. Caples.
9. Cadet Henry C. Jewett.
10. Cadet Arthur Williams.

CAVALRY ARM.

To be second lieutenants.

12. Cadet William L. Guthrie.
19. Cadet Walter D. Smith.
21. Cadet Harry B. Jordan.
23. Cadet Frank P. Lahm.
25. Cadet Orlando C. Troxel.
29. Cadet Creed F. Cox.
30. Cadet Robert McC. Beck, jr.
33. Cadet George M. Russell.
35. Cadet Lewis Brown, jr.
39. Cadet Jerome G. Pillow.
40. Cadet Ralph N. Hayden.
43. Cadet Leonard W. Prunty.
48. Cadet E. Kersley Sterling.
49. Cadet Wiley P. Mangum, jr.
50. Cadet Charles J. Naylor.
51. Cadet Kerr T. Riggs.
52. Cadet Carl H. Müller.
53. Cadet Allen C. Keyes.
54. Cadet John A. Pearson.
55. Cadet Prince A. Oliver.
56. Cadet Charles Burnett.
57. Cadet Arthur J. Lynch.
60. Cadet Daniel D. Gregory.
61. Cadet John Symington.
62. Cadet Walter H. Smith.
64. Cadet George H. Baird.
65. Cadet William M. Cooley.
66. Cadet William N. Haskell.
68. Cadet Henry A. Meyer, jr.
69. Cadet Frank Keller.

70. Cadet Fred L. Deen.

71. Cadet Guy Kent.

72. Cadet Copley Enos.

73. Cadet Emory J. Pike.

ARTILLERY CORPS.

To be second lieutenants.

11. Cadet Wildurr Willing.
13. Cadet William S. Browning.
14. Cadet Clarence H. Knight.
15. Cadet Nathaniel E. Bower.
16. Cadet Francis W. Clark.
17. Cadet Joseph F. Barnes.
18. Cadet Edward Canfield, jr.
20. Cadet William P. Ennis.
22. Cadet Arthur H. Bryant.
24. Cadet Willis G. Peace.
26. Cadet William P. Platt.
27. Cadet Guy E. Carleton.
28. Cadet Eugene R. West.
31. Cadet Dennis H. Currie.
32. Cadet Beverly F. Browne.
34. Cadet Edward M. Shinkle.
36. Cadet William R. Bettison.
37. Cadet Raymond S. Pratt.
38. Cadet Alfred A. Maybach.
41. Cadet Alden F. Brewster.
42. Cadet John A. Berry.
44. Cadet Gordon Robinson.
45. Cadet Henry M. Dougherty.
47. Cadet Edward H. De Armond.
58. Cadet Claude E. Brigham.
59. Cadet Richard Furnival.
63. Cadet William Tidball.
67. Cadet James Prentice.

PROMOTIONS IN THE ARMY.

MEDICAL DEPARTMENT.

To be surgeons with the rank of major.

- Capt. Charles M. Gandy, assistant surgeon, February 2, 1901.
 Capt. Jefferson R. Kean, assistant surgeon, February 2, 1901.
 Capt. Henry I. Raymond, assistant surgeon, February 2, 1901.
 Capt. Francis J. Ives, assistant surgeon, February 2, 1901 (subject to examination required by law).
 Capt. Edward R. Morris, assistant surgeon, February 2, 1901.

ARTILLERY CORPS.

To be major.

Capt. Elbridge R. Hills, Artillery Corps, February 2, 1901.

To be captains.

- First Lieut. George W. Gatchell, Artillery Corps, February 2, 1901.
 First Lieut. Oscar I. Straub, Artillery Corps, February 2, 1901.
 First Lieut. Herman C. Schumm, Artillery Corps, February 2, 1901.
 First Lieut. Alfred M. Hunter, Artillery Corps, February 2, 1901.
 First Lieut. John L. Hayden, Artillery Corps, February 2, 1901.
 First Lieut. Peyton C. March, Artillery Corps, February 2, 1901.
 First Lieut. Eugene T. Wilson, Artillery Corps, February 2, 1901.
 First Lieut. Edmund M. Blake, Artillery Corps, February 2, 1901.
 First Lieut. John T. Martin, Artillery Corps, February 2, 1901.
 First Lieut. Wilmot E. Ellis, Artillery Corps, February 2, 1901.
 First Lieut. William L. Kenly, Artillery Corps, February 2, 1901.
 First Lieut. William G. Haan, Artillery Corps, February 2, 1901.
 First Lieut. Sidney S. Jordan, Artillery Corps, February 2, 1901.
 First Lieut. Walter A. Bethel, Artillery Corps, February 2, 1901 (subject to examination required by law).
 First Lieut. Morris K. Barroll, Artillery Corps, February 2, 1901.
 First Lieut. Delamere Skerrett, Artillery Corps, February 2, 1901.
 First Lieut. Edward F. McGlachlin, jr., Artillery Corps, February 2, 1901.
 First Lieut. Archibald Campbell, Artillery Corps, February 2, 1901.

CAVALRY ARM.

- Lieut. Col. Edward M. Hayes, Fourth Cavalry, to be colonel, February 17, 1901.
 Maj. Charles L. Cooper, Fifth Cavalry, to be lieutenant-colonel, February 17, 1901.

ADJUTANT-GENERAL'S DEPARTMENT.

Lieut. Col. John B. Babcock, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, February 21, 1901.

Maj. John A. Johnston, assistant adjutant-general, to be assistant adjutant-general with the rank of lieutenant-colonel, February 21, 1901.

MEDICAL DEPARTMENT.

Capt. Henry S. T. Harris, assistant surgeon, to be surgeon with the rank of major, February 4, 1901.

CAVALRY ARM.

Lieut. Col. Thomas C. Lebo, First Cavalry, to be colonel, February 19, 1901.

Maj. Winfield S. Edgerly, Seventh Cavalry, to be lieutenant-colonel, February 19, 1901.

CAVALRY ARM.

Capt. George A. Dodd, Third Cavalry, to be major, February 2, 1901.

Capt. Henry H. Wright, Ninth Cavalry, to be major, February 2, 1901.

Capt. Charles M. O'Connor, Eighth Cavalry, to be major, February 2, 1901.

First Lieut. Edward C. Brooks, Sixth Cavalry, to be captain, February 2, 1901.

First Lieut. Malvern Hill Barnum, Tenth Cavalry, to be captain, February 2, 1901.

First Lieut. Letcher Hardeman, Tenth Cavalry, to be captain, February 2, 1901.

First Lieut. Edmund S. Wright, First Cavalry, to be captain, February 2, 1901.

First Lieut. William H. Hay, Tenth Cavalry, to be captain, February 2, 1901.

MEDICAL DEPARTMENT.

Capt. Charles B. Ewing, assistant surgeon, to be surgeon, with the rank of major, February 2, 1901.

Capt. Walter D. McCaw, assistant surgeon, to be surgeon, with the rank of major, February 2, 1901.

Capt. William P. Kendall, assistant surgeon, to be surgeon, with the rank of major, February 2, 1901.

ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Henry W. Butner, Artillery Corps, February 2, 1901.

Second Lieut. Marcellus G. Spinks, Artillery Corps, February 2, 1901.

Second Lieut. Jacob C. Johnson, Artillery Corps, February 2, 1901.

Second Lieut. Henry L. Newbold, Artillery Corps, February 2, 1901.

Second Lieut. Ernest D. Scott, Artillery Corps, February 2, 1901.

Second Lieut. Albert G. Jenkins, Artillery Corps, February 2, 1901.

Second Lieut. Robert E. Wyllie, Artillery Corps, February 2, 1901.

Second Lieut. William Forse, Artillery Corps, February 2, 1901.

Second Lieut. Malcolm Young, Artillery Corps, February 2, 1901.

Second Lieut. Laurence C. Brown, Artillery Corps, February 2, 1901.

Second Lieut. Harry L. Steele, Artillery Corps, February 2, 1901.

APPOINTMENTS IN THE VOLUNTEER ARMY.

TO BE ASSISTANT SURGEONS OF VOLUNTEERS WITH THE RANK OF CAPTAIN.

James J. Edmondson, of New York (acting assistant surgeon, United States Army), February 18, 1901.

Joseph C. Reifsnyder, of Pennsylvania (acting assistant surgeon, United States Army), February 18, 1901.

Joseph J. Curry, of Massachusetts (acting assistant surgeon, United States Army), February 18, 1901.

James K. Stockard, of North Carolina (acting assistant surgeon, United States Army), February 18, 1901.

George R. Plummer, of Florida (acting assistant surgeon, United States Army), February 18, 1901.

William R. Van Tuyl, of Kansas (acting assistant surgeon, United States Army), February 18, 1901.

John S. Fogg, of Maine (acting assistant surgeon, United States Army), February 18, 1901.

William F. James, of Texas (acting assistant surgeon, United States Army), February 20, 1901.

PROMOTIONS IN THE VOLUNTEER ARMY.

ELEVENTH CAVALRY.

First Lieut. Charles R. Trowbridge, Eleventh Cavalry, United States Volunteers, to be captain, February 1, 1901.

Second Lieut. John Holtman, Eleventh Cavalry, United States Volunteers, to be first lieutenant, February 1, 1901.

REGISTER OF THE LAND OFFICE.

Melvin A. Deering, of Colorado, to be register of the land office at Gunnison, Colo.

ASSISTANT APPRAISER OF MERCHANDISE.

Grover H. Lufburrow, of New Jersey, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

POSTMASTERS.

Louis Desmarais, jr., to be postmaster at Opelousas, St. Landry Parish, La.

James Longstreet Sibley, to be postmaster at Milledgeville, Baldwin County, Ga.

Edwin S. Holcomb, to be postmaster at Westfield, Tioga County, Pa.

Irvin Ogden, to be postmaster at What Cheer, Keokuk County, Iowa.

Joseph A. McClaran, to be postmaster at Saltsburg, Indiana County, Pa.

Alexander B. Grosh, to be postmaster at New Bloomfield, Perry County, Pa.

Charles H. Stevens, to be postmaster at Perry, Shiawassee County, Mich.

John M. Clark, to be postmaster at Onaway, Presque Isle County, Mich.

Margaret Duncan, to be postmaster at Au Sable, Iosco County, Mich.

Amelia E. Roth, to be postmaster at Virginia City, Storey County, Nev.

Mathias Sailer, to be postmaster at Laurium, Houghton County, Mich.

George R. Craft, to be postmaster at North Manchester, Wabash County, Ind.

Charles Z. Landreau, to be postmaster at Mayaguez, Porto Rico.

N. A. Hummel, to be postmaster at Wadsworth, Washoe County, Nev.

Harvey E. Fitts, to be postmaster at Aberdeen, Monroe County, Miss.

Jennie T. Mister, to be postmaster at Grenada, Grenada County, Miss.

Charles W. Bemis, to be postmaster at Foxboro, Norfolk County, Mass.

Frank Murphy, to be postmaster at Blandinsville, McDonough County, Ill.

Edward J. Stackpole, to be postmaster at Harrisburg, Dauphin County, Pa.

Mary Green, to be postmaster at Warrenton, Warren County, N. C.

Harry Bacharach, to be postmaster at Atlantic City, Atlantic County, N. J.

Christian A. Hanson, to be postmaster at Stoughton, Dane County, Wis.

Lehman E. Gantt, to be postmaster at Newport, Perry County, Pa.

Alfred R. Houck, to be postmaster at Lebanon, Lebanon County, Pa.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 1, 1901.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

ADMISSION TO THE HOUSE—CLOSING DAYS OF SESSION.

Mr. DALZELL. Mr. Speaker, I desire to submit for immediate consideration a resolution which I send to the desk. I ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the immediate consideration of a resolution which will be reported by the Clerk.

The Clerk read as follows:

Ordered. That from midnight March 3 until 2 p. m. March 4, 1901, admission to the House wing of the Capitol shall be by the lower east door only, and no persons, except members of Congress, members-elect, and employees of the House shall be admitted except by ticket. Tickets issued under this order shall admit to all galleries of the House except the executive, diplomatic, and reporters' galleries. The number of tickets issued under this order shall not exceed three for each Member and Delegate.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. DALZELL. I will state, Mr. Speaker—
Mr. RICHARDSON of Tennessee. Before the gentleman from

Pennsylvania proceeds, I desire to ask him if the resolution embraces the secretaries or clerks of members? Are they included in the terms of the resolution? For if not, they ought to be.

Mr. DALZELL. They are not included expressly. They are not, I suppose, employees. The terms of the resolution are "House employees."

Mr. RICHARDSON of Tennessee. Some provision should be made for their admission.

Mr. DALZELL. Of course; if they are not included in the terms of the resolution, I think they ought to be. I have no objection to it.

Mr. RICHARDSON of Tennessee. As I understood the reading of the resolution they are not included.

Mr. DALZELL. We can easily make some arrangement which will permit them to enter the building if they are not allowed under the terms of the resolution.

Mr. RICHARDSON of Tennessee. I would suggest that some such provision be inserted in the resolution.

Mr. DALZELL. I have no objection—

Mr. SHERMAN. Mr. Speaker, may we have this resolution again reported? It was not distinctly heard.

The SPEAKER. If there be no objection, the resolution will be again read.

There was no objection, and the resolution was again read.

Mr. RICHARDSON of Tennessee. Now, Mr. Speaker, I suggest to the gentleman from Pennsylvania that he so modify the resolution as to include the clerks or secretaries of members.

Mr. DALZELL. The only difficulty, in my judgment, would be this: It is possible that the doorkeepers in charge of the building would not be able to recognize a number of these secretaries, not being familiar with the members' clerks. It seems to me it would be a better arrangement to allow tickets to be issued to them by the Doorkeeper or some similar arrangement which would make provision for them.

Mr. FITZGERALD of Massachusetts. I would like to submit an inquiry to the gentleman from Pennsylvania.

Mr. DALZELL. Certainly.

Mr. FITZGERALD of Massachusetts. I would like to ask if the resolution includes members-elect? As I understand it, it does not read that way.

Mr. DALZELL. They ought to be included, if they are not, in the terms of the resolution.

Mr. FITZGERALD of Massachusetts. I ask unanimous consent that they be included, so as to read, "members and members-elect."

The SPEAKER. The Chair would ask the gentleman from Pennsylvania if this contemplates giving the members-elect the same number of tickets provided for the members?

Mr. DALZELL. No; it only admits them.

Mr. BAILEY of Texas. I desire to ask the gentleman from Pennsylvania if I understand this resolution correctly to provide that nobody can come into the Capitol except with a ticket?

Mr. DALZELL. That is right.

Mr. BAILEY of Texas. To say that nobody shall be admitted without tickets until 2 o'clock on Monday, March 4, and giving the 357 members three tickets each not more than a thousand people can be admitted into the Capitol, when perhaps 50,000 people, coming from all parts of the country, may by this resolution be denied the opportunity of getting into the building itself.

Mr. DALZELL. Mr. Speaker, I think my friend does not understand the situation. The order now in existence in regard to this is that there shall be no admission at the other end of the Capitol except by tickets.

Mr. BAILEY of Texas. At the Senate end?

Mr. DALZELL. Yes; the Senate end.

Mr. BAILEY of Texas. That is all the more reason why, in the House of the people, people ought to be admitted to the building.

Mr. DALZELL. But those who have tickets for the other end of the Capitol can come in here, and members are aware that perhaps a large number will come over here to witness the closing scenes of the House and then go to the other end of the Capitol; so, when you take that into consideration, and when you take into consideration the three tickets which are given to each member and the tickets issued—

Mr. CANNON. Two from the Senate end.

Mr. DALZELL. Yes; two from the Senate end, and three tickets to the members and five to the stands and other tickets that committees have issued—when you consider all this, more people will seek to be admitted to the Capitol than can possibly get in. In all previous inaugurations entrance to the Capitol at either end has been denied save by ticket.

Mr. BAILEY of Texas. I was in the gallery with a constituent and did not distinctly understand the resolution. When does the resolution begin operating?

Mr. DALZELL. At midnight, March 3.

Mr. BAILEY of Texas. Then it is practically for the inauguration ceremony?

Mr. DALZELL. For the inauguration.

Mr. BAILEY of Texas. I have no objection.

Mr. ROBINSON of Indiana. I should like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield to the gentleman from Indiana.

Mr. DALZELL. Yes.

Mr. ROBINSON of Indiana. I see that the tickets, five in number, that admit our visitors to the stands here, do not admit to the Capitol. The gentleman is certainly under a misapprehension. The five tickets will not admit to the Capitol.

Mr. DALZELL. That is true; but I will say to the gentleman that there will be a modification of the order which prevents access to the platform save from the outside, so that parties having tickets to the platform who come into the Capitol may have access over the bridge.

Mr. ROBINSON of Indiana. It may be very cold, and they might want to warm here.

Mr. DALZELL. That is true, and they may do so here.

Mr. DINSMORE. I would suggest to the gentleman from Pennsylvania that he make it apply to ex-members also. We will have a good many friends who have been here who would like to be admitted.

Mr. DALZELL. I have no objection to that.

Mr. SHAFROTH. It ought also to provide for members-elect.

Mr. DALZELL. That is already provided for.

Mr. MOODY of Massachusetts. I should like to ask the gentleman a question.

Mr. DALZELL. I yield to the gentleman.

Mr. MOODY of Massachusetts. I would like to ask the gentleman if it is the intention, in the interest of public business, to somewhat limit the privileges of the floor from this time on to the adjournment of Congress?

Mr. DALZELL. I have not heard of any such suggestion.

Mr. MOODY of Massachusetts. I suggest, for the consideration of the gentleman, that it will greatly aid the conduct of public business if that could be done.

Mr. DALZELL. That would require a change of the rules.

Mr. MOODY of Massachusetts. That could be done by the Committee on Rules.

Mr. DALZELL. Has the gentleman a suggestion to make?

Mr. MOODY of Massachusetts. I think the privileges of the floor should be denied from this time out in the interest of public business.

Mr. DALZELL. Introduce a resolution and send it to the Committee on Rules, and it will be considered.

Mr. MOODY of Massachusetts. I will not do that.

Mr. DALZELL. I consent that the resolution may be amended by adding ex-members.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert after the words "members-elect" the word "ex-members."

Mr. MORRIS. I ask for the reading of the resolution as amended.

The SPEAKER. It has been read twice already. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The resolution as amended was agreed to.

ORDER OF BUSINESS.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to call up for immediate consideration the bill H. R. 14093.

Mr. HEPBURN. Mr. Speaker, I call for the special order.

The SPEAKER. The gentleman objects and calls for the special order. Pending that, the Chair submits the following to the House:

Members of the temporary Committee on Accounts, as authorized by law, Messrs BULL of Rhode Island, JOY of Missouri, and BARTLETT of Georgia.

CORRECTION OF THE JOURNAL.

The SPEAKER. Without objection, a correction will be made in the Journal of February 26—a clerical error by the Clerk.

There was no objection.

Mr. CANNON. Will the gentleman from Iowa allow me to ask him a question?

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Illinois?

Mr. HEPBURN. I do.

Mr. CANNON. Is it the intention of the gentleman to ask the House to go into Committee of the Whole on the revenue bill?

Mr. HEPBURN. Yes.

Mr. CANNON. I want to submit to the gentleman that there are some matters of suspension, as well as conference reports upon appropriation bills, and I am informed that some other bills will

soon come over from the Senate that must receive attention. Does the gentleman from Iowa think that it is just to the public business—

Mr. RICHARDSON of Tennessee. Mr. Speaker, I object to what is going on unless we can hear.

The SPEAKER. The House is in unusually good order, but the Chair can not put lungs into members. [Laughter.]

Mr. HEPBURN. Mr. Speaker, I appreciate the anxiety of the gentleman from Illinois for the dispatch of business. I remember a night or two ago how the gentleman aided in losing an hour that might have been devoted to public business. [Laughter.] This matter now in hand will not occupy, in my judgment, an hour's time. Therefore I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of further considering House bill 5499.

Mr. CANNON. In the interest of public business I raise the question of consideration.

Mr. HEPBURN. I will say that this is in the interest of public business.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 5499. What is the point of the gentleman from Illinois?

Mr. CANNON. Is it in order, Mr. Speaker, to move to postpone the consideration of this bill until the 4th of March?

The SPEAKER. The Chair thinks not. It is the regular standing order. The motion before the House is to go into Committee of the Whole House on the state of the Union.

Mr. CANNON. I ask if upon that it is in order to move to lay the bill on the table?

The SPEAKER. The bill is in the Committee of the Whole and not in the House.

Mr. CANNON. I raise the question of consideration.

The SPEAKER. That will be done on the motion to go into Committee of the Whole. The motion to go into Committee of the Whole is equivalent to raising the question of consideration. The House will be able to express its desire whether to consider this bill or postpone it.

Mr. SULZER. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. SULZER. I understood that the vote of the House, the overwhelming vote of the House yesterday afternoon, was to go into Committee of the Whole on this bill.

The SPEAKER. Will the gentleman state his point of order?

Mr. SULZER. That is my point of order.

The SPEAKER. That was yesterday and this is to-day. [Laughter.] The question is on the motion of the gentleman from Iowa to go into Committee of the Whole House on the state of the Union for the further consideration of the bill 5499.

The question was taken; and on a division (demanded by Mr. HEPBURN) there were—ayes 99, noes 84.

Mr. CANNON and Mr. MANN. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 122, nays 134, answered "present" 5, not voting 92; as follows:

YEAS—122.

Adamson,	Fitzgerald, Mass.	Loudenslager,	Salmon,
Allen, Me.	Fitzgerald, N. Y.	Loving,	Shattuc,
Baker,	Fletcher,	Lybrand,	Shelden,
Bankhead,	Gardner, N. J.	McAleer,	Sheppard,
Barber,	Gibson,	McClellan,	Sherman,
Barham,	Gillet, N. Y.	McDowell,	Showalter,
Bartholdt,	Gordon,	Mahon,	Sibley,
Bellamy,	Greene, Mass.	May,	Smith, Iowa
Berry,	Griffith,	Minor,	Smith, H. C.
Breazeale,	Grosvenor,	Moody, Oreg.	Smith, Samuel W.
Brownlow,	Hall,	Morrell,	Southard,
Burnett,	Hay,	Morris,	Sperry,
Butler,	Hedge,	Muller,	Stallings,
Catchings,	Hepburn,	Naphen,	Stewart, N. J.
Clayton, Ala.	Hoffecker,	Newlands,	Sulloway,
Cochrane, N. Y.	Hopkins,	Norton, S. C.	Sulzer,
Connell,	Howard,	O'Grady,	Tawney,
Cooper, Tex.	Howell,	Otey,	Taylor, Ala.
Cooper, Wis.	Jack,	Otjen,	Terry,
Corliss,	Jenkins,	Payne,	Thomas, Iowa
Cousins,	Jones, Wash.	Pearson,	Thomas, N. C.
Crowley,	Joy,	Pearre,	Tompkins,
Cushman,	Kluttz,	Phillips,	Vreeland,
Dalzell,	Lamb,	Powers,	Wanger,
Davenport, S. A.	Lane,	Ransdell,	Warner,
Davenport, S. W.	Latimer,	Rhea, Va.	Weaver,
Davis,	Lester,	Richardson, Ala.	Weymouth,
Driggs,	Lewis,	Richardson, Tenn.	Young,
Emerson,	Littauer,	Roberts,	Ziegler.
Esch,	Littlefield,	Russell,	
Finley,	Livingston,	Ryan, N. Y.	

NAYS—134.

Adams,	Bailey, Tex.	Bishop,	Burke, S. Dak.
Aldrich,	Ball,	Boutell, Ill.	Burke, Tex.
Allen, Ky.	Barney,	Bowersock,	Burkett,
Allen, Miss.	Bell,	Brick,	Burleson,
Atwater,	Benton,	Bromwell,	Burton,
Bailey, Kans.	Bingham,	Brown,	Caldwell,

Cannon,
Capron,
Cochran, Mo.
Cowherd,
Cox,
Cromer,
Crumpacker,
Dahle,
Davidson,
De Armond,
Denny,
Dinsmore,
Dougherty,
Fitzpatrick,
Fleming,
Fordney,
Fox,
Freer,
Gaines,
Gamble,
Gardner, Mich.
Gayle,
Gilbert,
Gillett, Mass.
Graff,
Griggs,
Groat,
Grow,

Haugen,
Heatwole,
Hemenway,
Henry, Conn.
Henry, Miss.
Henry, Tex.
Hill,
Hitt,
Hull,
Jett,
Johnston,
Jones, Va.
Kerr, Md.
Ketcham,
Kitchin,
Kleberg,
Knox,
Lanham,
Lawrence,
Linney,
Little,
Lloyd,
Long,
Loud,
McCall,
McCleary,
McCulloch,
McRae,

Maddox,
Mann,
Marsh,
Meekison,
Mesick,
Miers, Ind.
Mondell,
Moody, Mass.
Moon,
Morgan,
Needham,
Norton, Ohio
Olmsted,
Overstreet,
Parker, N. J.
Pierce, Tenn.
Pugh,
Quarles,
Ray, N. Y.
Reeves,
Rhea, Ky.
Rixey,
Robb,
Robinson, Ind.
Robinson, Nebr.
Rucker,
Shackelford,
Shafroth,

Sims,
Slayden,
Smith, Ill.
Smith, Ky.
Snodgrass,
Spalding,
Spight,
Sprague,
Stark,
Steele,
Stephens, Tex.
Talbert,
Thayer,
Tongue,
Turner,
Underwood,
Vandiver,
Van Voorhis,
Wadsworth,
Watson,
Weeks,
Williams, J. R.
Williams, W. E.
Williams, Miss.
Wilson, Idaho
Zenor.

ANSWERED "PRESENT"—5.

Boreing,
Fowler,

Hamilton,

Lacey,

Landis.

NOT VOTING—92.

Acheson,
Alexander,
Babcock,
Bartlett,
Boutelle, Me.
Bradley,
Brantley,
Brenner,
Brewer,
Brosius,
Broussard,
Brundidge,
Bull,
Burleigh,
Calderhead,
Campbell,
Carmack,
Chanler,
Clark,
Clayton, N. Y.
Conner,
Cooney,
Crump,

Cummings,
Curtis,
Cusack,
Davey,
Dayton,
De Graffenreid,
Dick,
Dovener,
Driscoll,
Eddy,
Elliott,
Faris,
Foss,
Foster,
Gaston,
Gill,
Glynn,
Graham,
Green, Pa.
Hawley,
Kahn,
Kerr, Ohio
King,

Lassiter,
Lentz,
Levy,
Lorimer,
McDermott,
McLain,
Mercer,
Metcalf,
Meyer, La.
Miller,
Mudd,
Neville,
Noonan,
Packer, Pa.
Pearce, Mo.
Polk,
Prince,
Reeder,
Ridgely,
Riordan,
Robertson, La.
Rodenberg,
Ruppert,

Ryan, Pa.
Scudder,
Small,
Smith, Wm. Alden
Sparkman,
Stevens, Minn.
Stewart, N. Y.
Stewart, Wis.
Stokes,
Sutherland,
Swanson,
Tate,
Taylor, Ohio
Thropp,
Underhill,
Wachter,
Waters,
Wheeler,
White,
Wilson, N. Y.
Wilson, S. C.
Woods,
Wright.

So the motion was rejected.

The following pairs were announced:

On the revenue-cutter bill:

Mr. GRAHAM with Mr. LACEY.

For this day:

Mr. RODENBERG with Mr. CAMPBELL.

Mr. LORIMER with Mr. LASSITER.

Mr. CRUMP with Mr. ELLIOTT.

Mr. BOREING with Mr. DE GRAFFENREID.

Mr. CURTIS with Mr. DAVEY.

Mr. DRISCOLL with Mr. CHANLER.

Mr. FOSS with Mr. BRANTLEY.

Mr. KERR of Ohio with Mr. FOSTER.

Mr. MILLER with Mr. SWANSON.

Mr. TAYLER of Ohio with Mr. STOKES.

Mr. THROPP with Mr. UNDERHILL.

For this vote:

Mr. DOVENER with Mr. SMALL.

Mr. HAMILTON with Mr. KING.

Mr. BABCOCK with Mr. TATE.

Mr. ACHESON with Mr. CUMMINGS.

Mr. BULL with Mr. ROBERTSON of Louisiana.

Mr. BURLEIGH with Mr. BROUSSARD.

Mr. CONNER with Mr. BRUNDIDGE.

Mr. DICK with Mr. CARMACK.

Mr. FARIS with Mr. BRENNER.

Mr. EDDY with Mr. CLAYTON of New York.

Mr. HAWLEY with Mr. COONEY.

Mr. CALDERHEAD with Mr. POLK.

Mr. METCALF with Mr. WHEELER.

Mr. OLMSTED with Mr. GLYNN.

Mr. MUDD with Mr. McLAIN.

Mr. PRINCE with Mr. RYAN of Pennsylvania.

Mr. WM. ALDEN SMITH with Mr. SCUDDER.

Mr. WACHTER with Mr. SPARKMAN.

Mr. KAHN with Mr. SUTHERLAND.

Mr. WRIGHT with Mr. GREEN of Pennsylvania.

Mr. BROSIUS with Mr. GAINES.

Mr. STEWART of Wisconsin with Mr. RUPPERT.

Mr. ALEXANDER with Mr. WILSON of New York.

Mr. PEARCE of Missouri with Mr. LENTZ.

Mr. STEVENS of Minnesota with Mr. CUSACK.

Until further notice:

Mr. FOWLER with Mr. BARTLETT.

Mr. BOUTELLE of Maine with Mr. BRADLEY.
 Mr. GILL with Mr. WILSON of South Carolina.
 Mr. REEDER with Mr. NEVILLE.
 Mr. LANDIS with Mr. CLARK.
 Mr. DAYTON with Mr. MEYER of Louisiana.
 Mr. STEWART of New York with Mr. RIORDAN.
 Mr. WOODS with Mr. NOONAN.
 Mr. RICHARDSON of Alabama. Mr. Speaker, I desire to have my name called. I wish to vote.

The SPEAKER. Was the gentleman present and in his seat and watching for his name to be called?

Mr. RICHARDSON of Alabama. I was in my seat and did not hear my name called.

The SPEAKER. Was the gentleman watching to hear his name called?

Mr. RICHARDSON of Alabama. Yes.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. RICHARDSON of Alabama, and he voted "aye," as above recorded.

Mr. LACEY. Mr. Speaker, I observe that my pair is general. I understood it to be only on the final vote, but as it seems to be general I wish to withdraw my vote and be marked "present."

Mr. LACEY's name was called, and he voted "present," as above recorded.

Mr. TONGUE. Mr. Speaker, I desire to vote. I was present and did not hear my name called.

The SPEAKER. Was the gentleman listening when his name should have been called?

Mr. TONGUE. I was at the second roll call, Mr. Speaker.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called Mr. TONGUE's name, and he voted "no," as above recorded.

Mr. LANDIS. Mr. Speaker, I am paired with Mr. CLARK. I was under the impression that he was present, and I voted. I desire to withdraw my vote and be marked "present."

The Clerk called Mr. LANDIS's name, and he voted "present," as above recorded.

The result of the vote was then announced, as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 5715. An act granting a charter to the General Federation of Women's Clubs.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. Res. 306. Joint resolution concerning printing of additional copies of the Annual Report of the Geological Survey.

The message also announced that the Senate had passed with amendment bill of the following title:

H. R. 13189. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 13067. An act to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes; and

H. R. 11881. An act to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia."

The message also announced that the Senate had passed without amendment the following concurrent resolutions:

House concurrent resolution 84.

Resolved by the House of Representatives (the Senate concurring). That there be printed from the stereotype plates in the Government Printing Office 5,000 copies of House of Representatives Document No. 171, Fifty-sixth Congress, second session, entitled Agricultural Resources and Capabilities of Porto Rico, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for the use of the Department of Agriculture, the quality of paper and style of binding to be the same as in the original edition of the publication.

House concurrent resolution 83.

Resolved by the House of Representatives (the Senate concurring). That there be printed from the stereotype plates in the Government Printing Office 5,000 copies of House of Representatives Document No. 335, Fifty-sixth Congress, second session, entitled Fourth Report on the Agricultural Investigations in Alaska, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for the use of the Department of Agriculture, the quality of paper and style of binding to be the same as in the original edition of the publication.

House concurrent resolution 65.

Resolved by the House of Representatives (the Senate concurring). That there be 6,000 additional copies of the report of the Director of the Mint on the production of the precious metals for the calendar year 1899, bound in cloth and

wrapped, 2,000 copies for the use of the House of Representatives, 1,000 for the use of the Senate, and 3,000 copies for the use of the Director of the Mint. And be it further resolved, That there also be printed 8,000 additional copies of the report of the Director of the Mint, covering the operations of the mints and assay offices of the United States for the fiscal year ending June 30, 1900, to be bound in cloth and wrapped, 2,000 copies for the use of the Senate, 3,000 for the use of the House of Representatives, and 3,000 for the use of the Director of the Mint.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 5943. An act to establish Lowelltown, Me., a subport of entry.

RIVER AND HARBOR BILL.

Mr. BURTON. Mr. Speaker, I ask unanimous consent that the House nonconcur in the Senate amendments to House bill 13189—the river and harbor bill—and ask for a conference.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the House nonconcur in the Senate amendments to the river and harbor bill, and ask for a conference thereon.

Mr. HEPBURN. Mr. Speaker, I desire to reserve all points of order against this bill, and to suggest that there are many important amendments which I think should be considered in Committee of the Whole House, and I therefore object.

The SPEAKER. The bill will be referred to the Committee on Rivers and Harbors.

APACHE INDIAN RESERVATION IN ARIZONA.

Mr. SHERMAN. Mr. Speaker, I call up the conference report and ask unanimous consent to dispense with the reading of the report and read the statement.

The SPEAKER. The Clerk will first report the title of the bill.

The Clerk read as follows:

H. R. 10899. An act to restore to the public domain a small tract of the White Mountain Apache Indian Reservation in the Territory of Arizona.

The SPEAKER. The gentleman from New York asks unanimous consent that the statement may be read and the reading of the report omitted.

Mr. RICHARDSON of Tennessee. I would like to ask if all the conferees signed the report?

Mr. SHERMAN. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the statement.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10899) to restore to the public domain a small tract of the White Mountain Apache Indian Reservation, in the Territory of Alaska, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendment on page 2, line 13, and agree to the same.

That the Senate recede from its amendment on page 3, line 6.

That the Senate recede from its amendment on page 3, lines 6 and 7.

That the Senate recede from its amendment on page 3, line 10.

J. S. SHERMAN,
 C. D. SHELDEN,
 JOHN S. LITTLE,
Managers on the part of the House.
 JNO. M. THURSTON,
 J. V. QUARLES,
 JAMES K. JONES,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

The Senate recedes from all amendments save one, and that one simply makes a correction in a description of property, making a course read "east" instead of "west." The conference report therefore presents the bill in the form in which it passed the House.

Mr. SHERMAN. I move that the report be adopted.

The motion was agreed to.

On motion of Mr. SHERMAN, a motion to reconsider the vote by which the report was adopted was laid on the table.

GOVERNMENT FOR PORTO RICO.

Mr. COOPER of Wisconsin. The conference report on the bill (H. R. 12396) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said act, I ask unanimous consent that the reading of the report be dispensed with, and that in lieu thereof the statement of the House conferees be read.

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12396) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said act, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with amendments as follows: Insert in line 8,

page 1, after the word "assistants," the following: "Appointed by the United States district court."

Strike out the word "a," after the word "including," in line 8, page 1, and insert in lieu thereof the word "the."

Strike out the word "an," next preceding the word "interpreter," in line 8, page 1, and insert in lieu thereof the word "the."

Strike out, commencing at the end of line 8, page 1, the following: "Appointed by the United States district court as provided in section 34 of said act."

Strike out all of section 5, on page 3.

And the Senate agree to the same.

H. A. COOPER,
R. R. HITT,
W. L. JONES,

Managers on the part of the House.

J. B. FORAKER,
J. H. GALLINGER,
S. R. MALLORY,

Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to H. R. 12396, to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said act, respectfully submit the following statement as to the action agreed upon in the accompanying conference report:

The first amendment proposed by the conferees is inserted for the purpose only of making clearer the intent of the section.

As now agreed upon by the conferees, the first section fixes the salary of the commissioner of education for Porto Rico at \$4,000 per annum, and empowers the executive council of Porto Rico to determine the salaries of all the officials and assistants appointed by the United States district court for Porto Rico, including the clerk and the interpreter, and also provides that they shall be paid out of the revenues of Porto Rico, as other salaries and expenses of like character are paid.

The second amendment proposed by the conferees strikes out the word "a," after the word "including," in line 8, on page 1, and inserts in lieu thereof the word "the," and is merely verbal.

The third amendment proposed by the conferees strikes out the word "an," in line 8, on page 1, and inserts in lieu thereof the word "the," and is merely verbal.

The fourth amendment proposed by the conferees strikes out certain words in order to avoid a repetition of the same words.

The fifth amendment proposed by the conferees strikes out all of section 5 of the Senate amendments. This Senate amendment related to the public lands of Porto Rico and made an appropriation of \$16,000, which the Secretary of the Interior was authorized and directed to expend, if, in his judgment, advisable, in ascertaining the location and quantity of such lands, and in compensating a surveyor-general and the necessary clerical assistants.

Your conferees are of the opinion that, in view of all the circumstances, the whole matter of the survey of the public lands in Porto Rico should be deferred until the next session of Congress.

Mr. COOPER of Wisconsin. Mr. Speaker, allow me a word of explanation. There has recently been made a report by a commissioner appointed by the War Department to ascertain the public lands in Porto Rico, with a view to fortifying the island. That report, which, as I have said, is quite recent, has not yet been thoroughly digested; there has been no opportunity to do so; and in view of the importance of the subject the conferees were unanimously of the opinion that the whole subject had better be deferred until the next session of Congress.

Mr. LACEY. I would like to ask the gentleman if he can give us some approximate idea of the quantity of public lands remaining there?

Mr. COOPER of Wisconsin. The governor-general wrote a letter on that subject to the chairman of the Senate Committee on Porto Rico and the Pacific Islands. As we computed the amount yesterday, it is about 120,000 acres.

Mr. GAINES. From what revenues is this superintendent of public instruction paid—from the local revenues or from the United States Treasury?

Mr. COOPER of Wisconsin. From the revenues of the island of Porto Rico.

Mr. GAINES. Is the fixing of the salary of this officer left to the local legislature down there?

Mr. COOPER of Wisconsin. It is not. The gentleman misapprehends the purport of that section.

Mr. GAINES. I did not hear the report read. There was so much confusion.

Mr. COOPER of Wisconsin. All that is left to the executive council is the fixing of the salaries of the officers and assistants appointed by the district court. The reason for enacting the law in its present form is the fact that one of the Solicitors of the Treasury rendered recently a decision in which he said that the original Porto Rican act was so worded as to preclude the payment of salaries to the clerk of the court, so that this officer was obliged to rely upon his fees. As I understand from a letter which I have recently received from Judge Holt—a letter written last week—there have been only 19 cases filed in his branch of that court at San Juan.

That would not give the clerk sufficient compensation, and the judge has paid a part of the salary out of his own pocket. In order to enable the clerk to receive a sufficient salary, we have conferred upon the executive council the authority I have just stated.

Mr. GAINES. Then Congress has created this office and authorized the compensation of the officer to be paid out of the revenues of Porto Rico.

Mr. COOPER of Wisconsin. Congress has not determined the amount of salary, but has left it to be determined at the discretion of the executive council.

Mr. GAINES. From revenues paid into the Porto Rican treasury or into the Treasury of the United States?

Mr. COOPER of Wisconsin. These revenues are paid into the treasury of Porto Rico.

Mr. GAINES. Is not that contrary to the fundamental law? Does not the Constitution require that all revenues collected anywhere in the United States shall be paid into the Treasury of the United States?

Mr. COOPER of Wisconsin. The gentleman will remember that under the Porto Rican act passed last spring a very large amount of revenue is collected from Porto Rico, something like a million and a half of dollars. Moreover, there will be in the treasury of Porto Rico additional revenue arising from local taxation upon the property of the islands to meet the insular expenses.

Mr. GAINES. What is your judgment as to whether that revenue should be paid into the Treasury of the United States?

Mr. COOPER of Wisconsin. I do not know that I am here to interpret constitutional law. I am willing that the question shall be decided by the Supreme Court of the United States; and pending that decision I do not want to decide the question.

Mr. GAINES. I knew that I was asking a gentleman who is good authority, and I expected a clear-cut answer.

Mr. COOPER of Wisconsin. I prefer to leave the question to the Supreme Court of the United States—for the time being at least.

I move the adoption of the report.

The question being taken, the report was agreed to.

On motion of Mr. COOPER of Wisconsin, a motion to reconsider the vote by which the report was adopted was laid on the table.

ST. LOUIS EXPOSITION.

Mr. TAWNEY. I desire to submit a conference report on the bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States, by holding an international exposition of arts, industries, manufactures, and the products of the soil, mines, forests, and the sea in the city of St. Louis, in the State of Missouri. I ask unanimous consent that the reading of the report be dispensed with, and that the statement of the House conferees be read instead.

Mr. KING. I desire to reserve all points of order against this report.

The SPEAKER pro tempore (Mr. PAYNE). The gentleman from Utah reserves all points of order.

Mr. ELLIOTT. Mr. Speaker, at the proper time I desire to make a motion to recede from the disagreement of the House to the second amendment of the Senate and concur in that amendment.

Mr. TAWNEY. I will say to the gentleman that after this report is acted upon it will be my privilege to ask the House to further insist on its disagreement to amendment No. 2, and ask for a further conference.

The SPEAKER pro tempore. The Chair hears no objection to dispensing with the reading of the conference report.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 9829, "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mines, forests, and sea, in the city of St. Louis, in the State of Missouri," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

"That the House recede from its disagreeing vote on Senate amendment No. 1, and agree to the same."

That the conferees have been unable to agree to Senate amendment numbered 2, providing for the erection of a Government building and the making of a Government exhibit at the Interstate and West Indian Exposition in the city of Charleston, S. C.

J. A. TAWNEY,
GEO. W. STEELE,
JOHN S. WILLIAMS,
Managers on the part of the House.
CHAUNCEY M. DEPEW,
H. C. LODGE,
GEO. G. VEST,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mines, forest, and the sea in the city of St. Louis, in the State of Missouri, submit the following written statement in explanation of the effect of the action agreed upon in the accompanying conference report on each of the Senate amendments, namely:

By the action of the conference submitted in the accompanying report, the House recedes on amendment numbered 1.

On amendment numbered 2 the conference committee were unable to agree.

The SPEAKER pro tempore. The question is on agreeing to this report.

Mr. HAUGEN. I suggest that we are entitled to know what the Senate amendments numbered 1 and 2 are. I do not think the matter is made sufficiently plain in the statement.

Mr. TAWNEY. Amendment No. 1 is what is known as the Sunday-closing amendment, and amendment No. 2 is the appropriation for the exposition at Charleston, S. C. We agree to the first amendment and disagree to the second.

The SPEAKER pro tempore. The question is on agreeing to the report.

The report was agreed to.

Mr. TAWNEY. I move that the House further insist on its disagreement to Senate amendment numbered 2 and ask for a further conference.

Mr. ELLIOTT. I move that the House recede from its disagreement on amendment No. 2 and agree to the amendment.

The SPEAKER pro tempore. The question is first upon the motion of the gentleman from South Carolina.

Mr. TAWNEY. I rise to a parliamentary inquiry. Under the rules, how much time is allowed for discussion under this proposition?

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. TAWNEY] is entitled to the floor for one hour; he can yield such time as he may desire.

Mr. TAWNEY. I yield ten minutes to the gentleman from South Carolina.

Mr. ELLIOTT. I ask the gentleman to yield me twenty minutes, as I wish to yield to other gentlemen on the floor.

Mr. TAWNEY. I do not expect to occupy one-half of the time. I yield twenty minutes to the gentleman.

Mr. ELLIOTT. Mr. Speaker, I desire to occupy only three minutes of my time, and wish to be informed when that has expired.

The SPEAKER pro tempore. The Chair will call the gentleman's attention when three minutes have expired.

Mr. ELLIOTT. Mr. Speaker, the amendment of the Senate in which I move to concur provides for holding an Interstate and West India Exposition at Charleston, commencing December next and lasting until the following June. The appropriation of \$250,000 that is asked for is solely for the purpose of furnishing a Government exhibit, and no part of it whatever is to be appropriated to paying the current expenses of the exposition.

Two hundred thousand dollars have already been subscribed by the citizens of Charleston and others, \$50,000 by the State of South Carolina, and \$50,000 by the city of Charleston, making in all \$300,000 already subscribed, and it is estimated that there will be, including the sale of concessions and tickets, \$1,000,000 spent in carrying it through. The greatest interest has been exhibited throughout the country in behalf of this exposition. A number of States have determined to erect buildings and furnish exhibits; also a number of cities in the North.

Everywhere throughout the country the project has been encouraged in every way, and it remains to be seen whether the House of Representatives, which is the special representative of the people of the country, will deny to us what everybody else has given. Why should we not have an appropriation of \$250,000, one-twentieth of the amount given to St. Louis? It is, as I say, purely for a Government exhibit. All the expenses of the exposition will be paid by the company that has organized it.

What excuse can be given, Mr. Speaker, for denying Charleston this small appropriation when we are giving \$5,000,000 to St. Louis, \$500,000 to Buffalo, and have heretofore made appropriations to Omaha and other cities? You will observe that this money is simply for the purpose of giving the people who visit Charleston the right and privilege of inspecting the Government exhibits, which are all the time exhibited to the public here in Washington at the expense of the Government. Why should not the people who visit the Charleston exposition have the right to see what visitors to Washington see every day? I can not imagine how gentlemen can consistently vote for these other appropriations and deny this small sum to South Carolina.

Mr. Speaker, the people of Charleston have put forth the most strenuous efforts to make their exposition a success. They have planned it on broad and comprehensive lines. They have provided for 13 exposition buildings. They are making the most earnest efforts in all parts of the country to make it a national affair. They have met with no check so far, and an adverse vote here will proclaim to the world that their undertaking is unworthy of encouragement. I earnestly hope that the motion to concur will be adopted.

I yield five minutes to the gentleman from Wisconsin.

Mr. DAVIDSON. Mr. Speaker, the motion of the gentleman from South Carolina means an appropriation of \$250,000 for a Government exhibit at the Southern Interstate and West Indian Exposition to be held at Charleston. I am in favor of this appropriation. I know of no reason why we should deny to the exposition

at Charleston this comparatively small sum when we have repeatedly appropriated much larger sums for like expositions in other sections of the country.

This bill carries an appropriation of \$5,000,000 for the celebration of the centennial of the Louisiana purchase. I am in favor of this appropriation, although I know that this sum is to be turned over to the commissioners to be expended in behalf of that exposition. It should be remembered that Charleston does not ask aid from the Government for the exposition itself. They only ask that the Government shall patronize the exposition to the extent of making an exhibit there, just as it has at Atlanta, Nashville, Louisville, New Orleans, Chicago, and other places.

I believe that exhibits of this kind are of great benefit to the people and to the country. They are a source of education. They give new inspiration to the genius of our country, cause our people to become better acquainted with each other, and are of lasting benefit to all concerned.

But, Mr. Speaker, there is another reason why I shall vote for this appropriation. I remember, less than three years ago, on the floor of this House, the Representatives from South Carolina and other Southern States stood shoulder to shoulder with those from Wisconsin and the North and voted \$50,000,000 for the national defense. That act was most generously applauded. The old sectional line had been wiped out, and we all rejoiced that we were one people, having but one country and one flag. A few months after that, when volunteers had been called for and two regiments from Wisconsin, having been for weeks at Chickamauga, where they contracted the germs of typhoid, had started on their way to Porto Rico, they waited for transports at Charleston.

The transports finally sailed having the Wisconsin regiments on board, but there were left behind in the hospitals of that city 87 boys from my district and adjoining counties, sick with fever. Upon the adjournment of Congress I went down there to visit them and do what I could for their relief. The mayor of the city took me in his carriage out to the hospital. As we approached the buildings, looking out across the harbor I could see Fort Sumter, and I remembered that it was there where the first guns were fired on that dark and dreary night in April, when the storm of secession broke over this Union. I went into the hospitals, and I visited the boys. I found there Major Morgan, Captain Abel, Private Kelsey, and many others. I found there the best ladies of the city of Charleston, caring for and nursing back to life those brave Wisconsin boys who had gone out to serve their country in her hour of need. Those who had recovered sufficiently to be up and about the building told me that repeatedly the ladies had called with their carriages and taken them to drive, and had shown them every courtesy and every attention, and I want to say to you that in my judgment many of those boys owe their lives to the kind treatment received at the hands of the people of the city of Charleston. [Applause.] I went back to my home in Wisconsin and told the mothers and the families of those boys of the treatment they were receiving down at Charleston, and when the boys came home they corroborated what I had said.

From that time to this there has ever been a feeling of tenderness and affection from the people of my district toward the people of Charleston, and there is not one of the 500 boys of my district who went out with the Second Regiment of Wisconsin Volunteers in the Spanish war but what wants me to show my appreciation of what Charleston did for Wisconsin by voting for this appropriation.

You may call this sentiment—and so it is—but thank God, I am not ashamed of it. There is some sentiment in it, and I think there ought to be. I would be ashamed to go back to the people of my district and say to them that after I had voted millions of dollars for commercial purposes I was afraid to vote the paltry sum of \$250,000 for the Charleston Exposition.

Believing as I do that these exhibits are of benefit to the people, and because the old sectional lines have been wiped away, and the people of the South, and especially the people of Charleston, have shown their loyalty to the flag and their affection for the people of the North, and for the boys of Wisconsin at a time when care and attention were of very material benefit to them, I shall vote for this appropriation. [Loud applause.]

Mr. ELLIOTT. I will ask the other side to use some of its time.

Mr. TAWNEY. I do not care to occupy any of my time now.

The SPEAKER. The gentleman from Minnesota declines to use any part of his time now.

Mr. ELLIOTT. I yield two minutes to the gentleman from Nevada.

Mr. NEWLANDS. Mr. Speaker, I propose to vote for this amendment. I believe in these expositions. I believe that every one of them has done a great and general good. I believe in promoting at each and every one of them a Government exhibit. As I understand it, this amendment calls for a Government exhibit. We have voted appropriations for exhibitions at Omaha, at Nashville, at Buffalo, Chicago, and Philadelphia, all of them largely

in excess of the appropriations asked for in this case. I believe Chicago was given \$5,000,000 or more, St. Louis \$5,000,000, and Buffalo \$500,000. Now, this is an interstate exposition, and not only that, but an exposition that relates to the industries of the islands of the West Indies, and I believe it will serve a good purpose. I am in favor of this amendment.

Mr. GAINES. Is this exposition at St. Louis to be closed on Sunday?

Mr. TAWNEY. The House has just agreed, by the adoption of the conference report, to the Senate amendment, which is intended to close the exhibition on Sunday.

Mr. GAINES. Then it will be closed?

Mr. TAWNEY. I do not know whether it will be closed or not; whether it will have that effect I do not know.

Mr. STEELE. That is not fair; there is no question that it will be closed.

Mr. BUTLER. I understand that by the adoption of the conference report it is the understanding that this exposition will be closed on Sunday.

Mr. TAWNEY. That is the purpose of it.

Mr. BROSIUS. That has been adopted.

Mr. TAWNEY. That has been adopted.

I will only occupy a few moments in answer or in opposition to the motion of the gentleman from South Carolina. I am not, in opposing this motion, necessarily opposed to the South Carolina exposition, nor am I necessarily opposed to the Government appropriating a sum of money for the purpose of making an exhibit there. But in the last session of this Congress we enacted a law whereby we agreed with the people inhabiting the Louisiana territory, or the States and Territories carved out of that purchase, to appropriate \$5,000,000 to aid in carrying forward to success an exposition to commemorate that important event in our national history. The conditions upon which that promise was made were that the people in those States should raise, to the satisfaction of the Secretary of the Treasury, \$10,000,000, which they have done. With the evidence of that before us we passed this bill and sent it to the Senate, thus fulfilling our express promise. Many men voted in favor of the bill who were opposed to our making the pledge, but the pledge having been made, they felt in honor bound to keep it.

Now, those members of the House who thus voted are, by the action of the Senate in attaching to our bill carrying out this agreement a condition to appropriate money for an exposition at Charleston, placed in a position where they will have to either vote against the Government keeping its pledge or vote in favor of a proposition that they are unalterably opposed to. And it was exactly for this purpose that this amendment was made to the bill we passed. If legislation can be obtained by the aid of such methods as are being employed in respect to this amendment, then it is not necessary for this House to waste any time in the discussion of the merits of any proposition.

Why could not this proposition come before the House in a way whereby it might be considered and voted upon independent of the question of whether or not we are going to vote in favor or against the Government keeping the pledge which it made at the last session of Congress? That, Mr. Speaker, is a very substantial reason why this amendment should not be concurred in.

Mr. GAINES. Which do you think is more meritorious of the two projects—the one that makes a direct gift of \$5,000,000 to St. Louis, to do as they please with, or the one that gives \$250,000 to make a Government exhibit pure and simple in South Carolina?

Mr. TAWNEY. The gentleman's question involves more than is the fact. We do not propose to give \$5,000,000 to the people of St. Louis for them "to do as they please with." We give it to them for the specific purpose of aiding in the success of an exposition that will commemorate an event that contributed more than any other to the industrial welfare of the people, and to the power and influence of our nation at home and abroad.

Mr. GAINES. Is it to make a Government exhibit?

Mr. TAWNEY. It is not for the purpose of making a Government exhibit, and nobody claims that it is.

Mr. GAINES. That is all that it has been heretofore, except at the Columbian Exposition.

Mr. TAWNEY. I beg to differ with the gentleman. New Orleans got \$1,250,000 from the Treasury of the United States to aid in carrying forward that exposition. The Centennial Exposition at Philadelphia got \$1,550,000.

Mr. GAINES. The last was purely national.

Mr. TAWNEY. The Chicago Exposition got over \$3,000,000.

Mr. GAINES. That was purely national.

Mr. TAWNEY. That was, and so is this; this is a national and international exhibition. Let me call the gentleman's attention to the fact that you are asked by this amendment to invest as much money in the Government exhibit at Charleston, S. C., as there is to be invested in the entire exposition in that city by the people interested.

Now, I have here the prospectus showing that the State of South

Carolina has appropriated \$50,000, and the city of Charleston \$50,000, and the exposition company have raised in addition to that \$150,000, making a total of \$250,000.

Mr. STEELE. Let me correct the gentleman. It is not invested; with the exception of \$50,000 it is all prospective.

Mr. ELLIOTT. Oh, no; \$200,000 has been subscribed by citizens, 3,000 subscriptions in all, showing how popular the subscription was; and all the installments have been called for except three or four, and have been paid in.

Mr. PAYNE. As I understand, the purpose of the exposition at Charleston is practically the same as that of a respectable State fair, and where there would be no more reason for making the appropriation for that than there would for appropriating money for any State fair.

Mr. TAWNEY. None whatever. We are asked to invest in a Government exhibit at that exposition an amount equal to the total amount which has been subscribed, if you please, and possibly paid in, for the purpose of carrying on the exposition. In other words, the Government exhibit will be practically the whole show at this Charleston Exposition.

Now, some gentlemen on the other side appeal to the sympathy of this House on the ground that we ought not to discriminate against different sections of the country. I find, Mr. Speaker, that we have appropriated heretofore for two classes of expositions, one international and the other purely local. The Centennial Exposition was the first, and then the Columbian Exposition, and then the proposed Louisiana Exposition. Now, in addition to those three, we have had eight expositions, and of the amount appropriated by the Government either to aid in carrying forward these expositions or for the purposes of making a Government exhibit I find that \$1,990,000 went to the Southern section of our country. The South has had four of these expositions, the North four; and the Northern expositions that were purely local received \$1,660,000. As the gentleman from Massachusetts says, the Southern section has far less than one-half the population that the North has. The appropriation for the St. Louis Exposition, it may well be said, will benefit the South far more than the North. So that gentlemen have no ground to claim that we are discriminating against the Southern section of the country if we disagree to this amendment.

But there is a vast difference between these two propositions. The one is international in its character; the one commemorates one of the greatest events of the history of our country, and it will also commemorate the first great international event in our national history, while the Charleston exposition is, as the gentleman from New York [Mr. PAYNE] said a moment ago, nothing more or less than a State fair, such as almost every State has every year; and we are asked to contribute to that fair an exhibit which will cost the Government of the United States an amount equal to the total amount invested by the people of South Carolina in that exposition.

Mr. Speaker. I reserve the balance of my time.

Mr. ELLIOTT. I now yield three minutes to the gentleman from Michigan [Mr. WM. ALDEN SMITH].

Mr. WM. ALDEN SMITH. Mr. Speaker, I am unable to distinguish between sections of our common country in gifts of this character or between one exposition and another. They are all praiseworthy and educational. We have voted liberally for expositions in the North. This measure contains an appropriation of \$5,000,000 to the St. Louis Exposition in celebration of the Louisiana purchase. It seems to me a small sum that South Carolina asks, when compared to those heretofore voted. I believe that expositions of this character are a benefit to our country. They are the gathering places of our citizens, who attain the best advantages of an educational character. They are places where new ideas get into the minds of our citizens, where genius is stimulated and invention born for the benefit of civilization and mankind; and I am willing to take this one additional step in the interest of our national fraternity and the welfare of that historical city of Charleston and the State of South Carolina.

Mr. TAWNEY. Does the gentleman think—

Mr. WM. ALDEN SMITH. I can not yield in my time.

Mr. TAWNEY. Does the gentleman think that this applies to the members of this House?

Mr. WM. ALDEN SMITH. If the gentleman will give me more time, I will yield.

Mr. Speaker, the exposition proposed to be held at Charleston, S. C., is an Interstate and West Indian Exposition. Charleston is admirably located for such a purpose. It is an historic city, full of great interest to the country and its people. It was at Charleston that one of the first victories of the Revolutionary war was won, and old Fort Moultrie still raises her historic head in that city, from whose walls Sergeant Jasper leaped and rescued the American flag when the staff had been shot away by the British invaders. It was at Charleston that the first shot of the war of the rebellion was fired, calling millions of men—fathers and sons, brothers and neighbors—to the country's service and the nation's

defense; and I shall be glad to join in celebrating the return of good will between the North and South by this splendid evidence of appreciation on the part of the Congress of the United States.

For my part, I believe that this appropriation should be given. If it is proper to give such an appropriation to Buffalo, if it was proper to give such an appropriation to St. Louis, why should we not give it to Charleston, and allow the citizens of that city and State to have an exposition worthy the period through which we are now passing, and illustrative of the genius of the age.

[Here the hammer fell.]

Mr. TAWNEY. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I did not intend to say a word in this debate, but I could not sit by without making a protest against the proposed appropriation for the exposition at Charleston, S. C. True, five millions are given for the St. Louis Exposition. St. Louis has raised ten millions. These five millions are a gift. St. Louis puts up two dollars to every one that the Government advances.

I stood and worked and voted as hard as I could against committing the Government to the St. Louis Exposition; but when committed, that commitment became an obligation. Now, upon a provision to meet that obligation, another body, in the closing days of this Congress, adopts this additional legislation giving \$250,000 for the purpose of having a Government exhibit at Charleston. So far as the Senate is concerned, it says to friends of the St. Louis Exposition: "The obligation to St. Louis shall not be fulfilled unless you will drag through also this appropriation for Charleston."

Now, as I have said a hundred times before, the rule is that the body which proposes legislation upon an appropriation bill must recede if the other body insists upon its objection. I have no doubt that the Senate will recede, if the House will insist on its disagreement of this amendment.

Now, upon the merits: I have no pride of opinion in regard to granting anything to any exposition; but I say respectfully it seems to me that the Charleston proposition does not commend itself to Congress. Two hundred and fifty thousand dollars to be appropriated by the Government, with a second \$250,000 to be subscribed in South Carolina—

Mr. FINLEY. Will the gentleman allow me a question?

Mr. CANNON. Yes, sir.

Mr. FINLEY. The gentleman suggests that this proposition does not commend itself to Congress. I wish to know whether any proposition for an exposition anywhere in the United States other than the exposition at Chicago, in his State, has, in the gentleman's view, commended itself to Congress.

Mr. CANNON. Yes; I made the fight on this side and against the other side—and I think I had more to do with procuring the appropriation than any other man in Congress—for the Atlanta Exposition. I made the fight for the New Orleans Exposition. I helped also in securing the appropriation for the Nashville Exposition. But this matter has reached a point now where the exposition racket runs to the point of State fairs, and soon it will extend to county fairs. [Applause.] In my judgment the time has come to call a halt.

Mr. FINLEY. I ask the gentleman to let me make one statement in connection with that which he has made.

Mr. CANNON. I have only five minutes.

Mr. FINLEY. This will only occupy a second. The gentleman stated that an appropriation of \$250,000 had been made by the city of Charleston.

Mr. CANNON. So I have been told.

Mr. FINLEY. I hold in my hand a telegram signed by the mayor of that city stating that the amount of the appropriation by the city of Charleston is \$350,000.

Mr. CANNON. Very well; I am glad if it is \$350,000. The amount was stated by the gentleman from Minnesota [Mr. TAWNEY] as \$250,000, and he was not contradicted.

It is all very nice to talk about "the old flag and an appropriation," and about sentiment, and about "the first battle of the Revolution" (if the first battle was fought in that part of the country), and about Moultrie, and about Fort Sumter, and about the "bloody chasm," and about "the era of peace and good will." I submit that with appropriations piling up mountain high the time has come to have a little sentiment for the taxpayer. [Applause.] Therefore, I want to give notice now that to the best of my ability, my voice, weak though it may be, and my vote, though it counts but one—from this on my voice and my vote are against any and all propositions that will take money from the public Treasury for expositions. "Give us a rest." [Loud applause.]

Mr. ELLIOTT. Mr. Speaker, how much time have I remaining?

The SPEAKER. Seven minutes.

Mr. ELLIOTT. I will yield three minutes to the gentleman from South Carolina [Mr. TALBERT].

Mr. TALBERT. Mr. Speaker, let us look at this matter dis-

passionately and without excitement. Let us look at it as a business proposition; for it is one of plain business. This Government is asked to spend \$250,000 in order to place its own exhibits where they can be seen at the Charleston and West Indian Exposition by visitors from every section of the country. Charleston has raised \$250,000 and the State legislature has given \$50,000. Now, will the Government do it? This money is not a gift from the Government, but only spending its own money to place upon exhibit its own resources. The gentleman from Minnesota says the St. Louis Exposition will be an international one. I say Charleston's will be a national one and will be equally as important as the other. Let us ask if South Carolina's history does not entitle her to consideration along this line, as well as the State of New York, Tennessee, Louisiana, or any other of them.

Yes, sir, the record of South Carolina in our struggle for independence can very safely challenge a comparison with any other of her sister colonies. In the patriotism of her women, none excel her, and she can recall with pride the devotion of Mrs. Motte, whose palatial residence being occupied by the British, furnished the patriots with the means of destruction of her own beautiful home. She can point with pride to the perilous trip of Emily Geiger on horseback from old Cambridge to Charleston, carrying the message to General Greene that foiled the brutal Tarleton in his murderous designs. Many other names might be mentioned, but time forbids, and then I am only speaking from memory on the spur of the moment about some of the noble women and men of my native State.

I know her statesmen were potential and prominent in the organization and establishment of our magnificent system of government. She gave to the struggling patriots the "Swamp Fox" in the person of Marion, who was never caught; the gamecock Sumter, who was never defeated, and the gallant Moultrie, who never gave up the fort; and when the chivalric Frenchman, the gallant soldier, the sincere lover of liberty, and Washington's friend and associate, Lafayette, was imprisoned in the Fortress Olmutz it was one of South Carolina's most distinguished soldiers and patriots, Colonel Laurens, who, without regard to the dangers involved in such an enterprise, at his own expense went to France and undertook to effect the release and escape of his illustrious companion in arms.

When future generations shall read the history of our Continental war, there is nothing in prose, poetry, or song, in fiction or reality, more captivating and instructive than South Carolina's part in accomplishing the independence of America. There stands to-day at the head of Broad street, in the city of Charleston, that grand old city by the sea, the very building, then used as a prison, in which patriots were confined by the Tories, and visitors may now see the very spot, with the very iron staples, in which the patriot Hayne was confined, and from which he was taken to cruel and bloody execution, and many other places may be seen there which makes Charleston one of the most historic cities in the United States.

Whatever may have been the history of South Carolina in later years I will not now speak, except to say that her sons have nothing to apologize for or to be ashamed of. I can simply refer now to her earlier actions and repeat with pride Mr. Webster's reference to Massachusetts in his famous debate with Senator Hayne, "There stands Massachusetts with her Boston Commons, her Fanueil Hall, and her Bunker Hill, and there she will stand forever." The same grand and eloquent tribute will equally apply to South Carolina, where she will stand upon her record forever. Now, Mr. Speaker, South Carolina invites her sister States to come and erect buildings there and place their products on exhibition. She asks the General Government to do so.

We invite the people from the North, South, East, and West to come to South Carolina to see our people and become better acquainted with them. Let us have this small appropriation, and come down into the country whose patriot soldiers have moistened the soil of this nation, as I have already said, upon every battlefield from Bunker Hill and Lexington to Yorktown for American liberty. Come down amongst us and see our marvelous advancement in agriculture, manufacturing, mining, and all the other industries. Come down amongst and help us to prove to the world that we do not punish the most humble citizen, red, white, black, or blue, without a just cause, and help us to give the lie to the slanderous statements recently published in the North American, published in Philadelphia. [Applause.]

Mr. ELLIOTT. I yield five minutes to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, there is an old and a wise saying that consistency is a jewel. The distinguished gentleman from Illinois [Mr. CANNON] has probably never heard that saying, if we are to judge by his actions, his votes, and his speeches. He has originated and passed some of the most lavish and extravagant appropriation bills.

He has advocated and voted for some of the most reckless and uncalled-for expenditures of the people's money. He has done as

much as anyone on that side of the House to make this a billion and a half dollar Congress, the most costly and expensive Congress in all the history of our country. When we compare his record with his professions, he is as disingenuous as he is inconsistent.

He is strenuously opposed now to this appropriation of \$250,000 for a Government exhibit and the necessary and incidental Government building at the Charleston Exposition. At the last moment—in the dying days of this Congress—he is awakened and rises up in patriotic indignation to sound the alarm, and in stentorian tones declare these appropriations must cease or the exchequer of the Government will be depleted. It seems to me the gentleman's good intentions are rather late, and should have been put in execution long ere this.

Sir, I am at least consistent. I am in favor of the exposition in Charleston, S. C., and I shall do all I can in my humble way to make it a success and an object lesson that will help the Southland and reflect credit on the whole country. I believe in these expositions of our progress, our industry, and our material resources.

I believe they do great good; that they are great object lessons to the people and great educators for the masses. The Government should participate in all of them and give what aid it can. The benefits to the people are inestimable and the small sum spent wise and prudent economy that will ultimately be returned an hundred fold.

Entertaining these views I shall cordially stand by my friend from South Carolina, and I trust his motion will prevail. I am on record in favor of expositions. I voted for the Omaha Exposition, for the Pan-American Exposition, for the St. Louis Exposition, and on the roll call I shall vote in favor of the Charleston Exposition. I like the people of the South; I believe in them, in their future, and I want to help them demonstrate to the world in an educational way their greatness, their grandeur, their commerce, their resources, their progress, and their material industries.

In my judgment, this exposition is most desirable and will do incalculable good. It will astonish many, and rivet the attention of America on the New South, with its innumerable opportunities, its untold wealth, and its myriad possibilities. Give the grand old South a chance, and the result will be as surprising as the vast amount of invaluable information disseminated will be beneficial.

This, sir, is not a local or a sectional matter. It will help and benefit our whole country. I dissent from the provincial and narrow view taken by some gentlemen on this question. The Columbian Exposition at Chicago did more for this country in different ways than the most eloquent tongue can ever portray.

Every exposition ever held in this country has been a great national blessing that has made for peace, for progress, and for civilization. We spend yearly millions and millions of dollars for useless objects and worthless matters, but when a few thousands of dollars are asked for educational purposes, for the benefit of humanity, for the diffusion of information, some all-wise and far-seeing cheese-paring statesman gravely arises and in sepulchral tones objects.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. TAWNEY. I yield three minutes to the gentleman from Utah [Mr. KING].

Mr. KING. I am more than delighted to know that there is at least one voice upon the Republican side that is raised against the reckless appropriations made by this Congress.

Unfortunately, his voice, so far as its influence upon the Republicans is concerned, is like "one crying in the wilderness."

And yet my distinguished friend from Illinois [Mr. CANNON] is not entitled to much credit for his plea for economy. It is a death-bed repentance. Millions and hundreds of millions were appropriated this session, and he felt no duty resting upon him to warn the majority in Congress to halt in their wild and heedless efforts to plunder the public Treasury. Democrats upon this side of the House again and again raised their voices against the maladministration of the party in power, and the unconstitutional, unwarranted, and meretricious "grabs" which were made upon the National Treasury.

When nearly a billion dollars have been taken from the people in three months, then a faint voice is heard from the darkness of Republican jungles, crying out in doleful and lugubrious sounds, "We are lost; woe is me!"

And yet, Mr. Speaker, in the interest of fairness and truth I am compelled to say that, in my humble opinion, the record of some members upon this side of the Chamber in regard to certain appropriations is not free from criticism.

Mr. Speaker, since I have been in Congress I have come to believe that no proposition can be suggested in a legislative body, which involves the appropriation of money from the Treasury,

that can not be supported by some kind of an argument and some show of reason.

We hear that we should appropriate \$5,000,000 for the St. Louis fair because it commemorates the splendid achievement of Jefferson in securing by peaceful means a great empire; and that we should give to South Carolina \$250,000 because of "sentiment."

Mr. Speaker, I am opposed to this whole scheme. I think it is wrong and indefensible to take the people's money, as it is proposed by the bill under consideration. I voted against the St. Louis proposition. If it were within my power I would defeat the scheme by which \$5,000,000 are taken from the people and turned over to a private corporation in the city of St. Louis.

The whole system is wrong. We are running wild upon the subject of "fairs" and "expositions."

It is an easy thing, apparently, to organize a private corporation, subscribe a few dollars, and then lobby through Congress a bill to put into the treasury of the corporation hundreds of thousands of dollars, and even millions, for the ostensible purpose of having a "fair." When is this thing to end?

One State asks to-day, to-morrow another makes its appearance, and next week some county will be heard from. Of course each "exposition" is "international." By labeling it "international" the robbery of the Treasury becomes a virtue.

It is similar to the villainies found in the river and harbor bills; a dribbling, shallow creek is called a "river," and forthwith it becomes so important for "commerce" that an appropriation should be made to widen and deepen it.

Mr. Speaker, we have a Constitution, although the party in power treats it with supreme contempt. There are limitations placed upon the legislative department of the Government. It is a crime to tax the people for any purpose other than to raise revenue for the economical administration of the affairs of the Government.

It is revolutionary to use the taxing power to aid private enterprises. All history teaches that the persistent and flagrant abuse of this sovereign power is destructive of liberty, and the sure precursor of tyranny.

I am interested in the great State of South Carolina. I am proud of her history, and glory in her mighty achievements. I hold in sacred memory the illustrious Democrats who have held her banner.

In all that will advance her interests I shall rejoice. But I hope I may never support a proposition that I regard as a violation of the spirit and letter of the Constitution of the United States, no matter how apparently beneficial it may seem to the great State of South Carolina or any other State of our Union.

Mr. ELLIOTT. I just wish to say one word. It is estimated that the expense of this exposition outside of the Government appropriation will be \$1,000,000.

I yield the remainder of my time to my colleague [Mr. LATIMER].

Mr. LATIMER. I yield two minutes of my time to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Speaker, the other day, when this appropriation was up, I opposed the appropriation for the St. Louis fair, and referred to this that was to follow. Now, I am like my friend from Illinois. I think the time has come, on this question, when there should be a halt upon these appropriations; but I can not see how this House can stand here and propose to make an appropriation of \$5,000,000 for the St. Louis fair and refuse an appropriation to the city of Charleston.

But our friends on the other side, and especially the gentleman from Minnesota and the gentleman from Illinois, say that we have obligated ourselves at a previous Congress to make this appropriation of \$5,000,000 to the St. Louis fair. Let me call your attention to another thing. On the 19th day of April, 1898, you obligated yourselves to the world and especially to Cuba to do certain things; and I say now that before the sun sets you will violate those obligations openly and aboveboard [Applause.] Now, see if you do not do that; see where your obligations lead you, and see if you are as loyal to the obligations you made on April 19, 1898, as you are to the St. Louis fair.

The SPEAKER. The time of the gentleman has expired.

Mr. LATIMER. Mr. Speaker—

The SPEAKER. There is no more time remaining.

Mr. LATIMER. I had three minutes.

The SPEAKER. You yielded two minutes; your colleague used half a minute, and now the time has all expired.

Mr. ELLIOTT. Mr. Speaker, I ask that my colleague have two minutes. He yielded under a misapprehension.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LATIMER. I want to appeal to this House and gentlemen to show now that you feel and will act in accordance with the expressions that have been given out by the President of the United States and members on the floor of this House in regard to the hostilities that have been exhibited for the last twenty-five

years toward the South and especially toward South Carolina. This is an opportunity to show absolutely that the feeling of hostility toward the South, and toward South Carolina, has been obliterated. This is the first time that South Carolina has come before Congress and asked for an appropriation from the National Government. This is an opportunity to show that State that you feel toward her just as you feel toward St. Louis, Chicago, and New Orleans, and Buffalo. This is a small appropriation, and I hope this House will vote for it, and agree to the Senate amendment, keeping this \$250,000 in this bill.

The SPEAKER. The gentleman from Minnesota.

Mr. TAWNEY. The gentleman from South Carolina [Mr. TALBERT] says this is a business proposition. I thoroughly agree with him in that statement, and it is because the business end of the proposition is all on the side of the Charleston exposition that I object to the appropriation of the money carried by this amendment. You come to Congress and demand that we make an exhibit there wholly disproportionate to the character of the exposition which you propose holding. This is the result of tacking onto the bill which we passed and sent to the other end of the Capitol a proposition wholly different and not germane. It comes to us now in such a way that the House can not consider, correct, or amend any defects that exist in the Senate amendment.

This, Mr. Speaker, is alone a sufficient reason why this amendment should not be concurred in. By this amendment the House is literally held up. You will now either vote against keeping the promises which you have made to the people of St. Louis or else you will vote in favor of a proposition which, if it stood alone in its present form, would not receive any favor whatever in this House. The plea made by the gentleman from South Carolina [Mr. LATIMER] in favor of this proposition, that it would be the highest evidence of the complete wiping out of sectional lines, has no foundation in fact. We have been appropriating money for the purpose of making exhibits at Southern expositions ever since 1884. We appropriated in 1884 for the New Orleans Exposition \$1,350,000, and in addition to that we appropriated \$300,000 for a building and exhibit.

We appropriated for the Louisville Exhibition; we appropriated for the Atlanta exposition, and we also appropriated for the Nashville Exposition. It is not on that ground, it is not because it is in the South, that I object to this proposition, but I object to having the proposition coupled with a bill that is intended only to carry out our agreement, a proposition that otherwise many members of this House would oppose, and I should oppose in its present form. Now, Mr. Speaker, I ask for a vote on the motion of the gentleman from South Carolina.

Mr. STEELE. I demand the yeas and nays on this.

The yeas and nays were ordered.

The question was taken; and there were—yeas 91, nays 164, answered "present" 9, not voting 89; as follows:

YEAS—91.

Adamson,	Esch,	Lybrand,	Ryan, N. Y.
Alexander,	Finley,	McAleer,	Salmon,
Bankhead,	Fitzgerald, Mass.	Marsh,	Shackleford,
Barham,	Fitzgerald, N. Y.	May,	Shafroth,
Bellamy,	Gibson,	Meekison,	Showalter,
Bingham,	Gordon,	Morrell,	Slayden,
Brantley,	Green, Pa.	Muller,	Smith, Iowa
Breazeale,	Grout,	Newlands,	Smith, Wm. Alden
Brownlow,	Hall,	Norton, Ohio	Spight,
Burleigh,	Hay,	Norton, S. C.	Stark,
Burnett,	Hepburn,	Packer, Pa.	Sulzer,
Caldwell,	Hoffecker,	Pearson,	Sutherland,
Clayton, N. Y.	Howell,	Polk,	Swanson,
Cusack,	Jack,	Powers,	Talbert,
Davenport, S. A.	Jenkins,	Ransdell,	Taylor, Ala.
Davenport, S. W.	Knox,	Ray, N. Y.	Thayer,
Davey,	Lacey,	Richardson, Tenn.	Thomas, N. C.
Davidson,	Lane,	Riordan,	Tompkins,
Davis,	Latimer,	Rixey,	Wachter,
Denny,	Lester,	Robertson, La.	Waters,
Dick,	Lewis,	Robinson, Nebr.	Weymouth,
Driggs,	Littlefield,	Rucker,	Young,
Elliott,	Livingston,	Ruppert,	

NAYS—164.

Acheson,	Brundidge,	Dinsmore,	Hedge,
Adams,	Burke, S. Dak.	Driscoll,	Hemenway,
Aldrich,	Burke, Tex.	Eddy,	Henry, Conn.
Allen, Ky.	Burkett,	Fletcher,	Henry, Miss.
Allen, Miss.	Burleson,	Fordney,	Henry, Tex.
Atwater,	Butler,	Fox,	Hill,
Babcock,	Calderhead,	Freer,	Hopkins,
Bailey, Tex.	Cannon,	Gaines,	Hull,
Baker,	Capron,	Gamble,	Jett,
Ball,	Carmack,	Gardner, N. J.	Johnston,
Barber,	Clayton, Ala.	Gilbert,	Jones, Va.
Barney,	Cochrane, N. Y.	Gillet, N. Y.	Jones, Wash.
Bartholdt,	Connell,	Gillet, Mass.	Joy,
Bell,	Cooper, Wis.	Graff,	Ketcham,
Benton,	Cooney,	Greene, Mass.	King,
Berry,	Corliss,	Griffith,	Kitchin,
Boutell, Ill.	Cousins,	Grosvenor,	Kleberg,
Bowersock,	Cowherd,	Grow,	Klutz,
Brick,	Cromer,	Hamilton,	Lamb,
Bromwell,	Crowley,	Haugen,	Lanham,
Brosius,	Crumpacker,	Hawley,	Lawrence,
Brown,	Dalzell,	Heatwole,	Levy,

Linney,	Morris,	Ryan, Pa.	Tate,
Littauer,	Needham,	Shattuck,	Tawney,
Little,	Olmsted,	Sheppard,	Taylor, Ohio
Lloyd,	Otjen,	Sherman,	Terry,
Long,	Overstreet,	Sibley,	Thomas, Iowa
Loudenslager,	Parker, N. J.	Sims,	Turner,
Lovering,	Payne,	Smith, Ky.	Vandiver,
Mahon,	Pearce, Mo.	Smith, H. C.	Van Voorhis,
Mann,	Pearre,	Snodgrass,	Vreeland,
McCall,	Phillips,	Southard,	Wadsworth,
McCleary,	Pierce, Tenn.	Sperry,	Wanger,
McLain,	Pugh,	Sprague,	Watson,
Miers, Ind.	Rhea, Ky.	Stallings,	Weaver,
Miller,	Richardson, Ala.	Steele,	Weeks,
Mondell,	Robb,	Stephens, Tex.	Williams, J. R.
Moody, Mass.	Roberts,	Stevens, Minn.	Williams, Miss.
Moody, Oreg.	Robinson, Ind.	Stewart, N. J.	Wright,
Moon,	Rodenberg,	Stewart, N. Y.	Zenor,
Morgan,	Russell,	Stewart, Wis.	Ziegler.

ANSWERED "PRESENT"—9.

Bishop,	Fowler,	Landis,	Meyer, La.
Cox,	Gardner, Mich.	Maddox,	Wheeler.
Fleming,			

NOT VOTING—89.

Allen, Me.	Dayton,	Lorimer,	Scudder,
Bailey, Kans.	De Armond,	Loud,	Shelden,
Bartlett,	De Graffenreid,	McClellan,	Small,
Boreing,	Dougherty,	McCulloch,	Smith, Ill.
Boutelle, Me.	Dovener,	McDermott,	Smith, Samuel W.
Bradley,	Emerson,	McDowell,	Spalding,
Brenner,	Faris,	McRae,	Sparkman,
Brewer,	Fitzpatrick,	Mercer,	Stokes,
Broussard,	Foss,	Mesick,	Sulloway,
Bull,	Foster,	Metcalf,	Thropp,
Burton,	Gaston,	Minor,	Tongue,
Campbell,	Gayle,	Mudd,	Underhill,
Catchings,	Gill,	Naphen,	Underwood,
Chanler,	Glynn,	Neville,	Warner,
Clark,	Graham,	Noonan,	White,
Cochran, Mo.	Griggs,	O'Grady,	Williams, W. E.
Conner,	Hitt,	Otey,	Wilson, Idaho
Cooper, Tex.	Howard,	Prince,	Wilson, N. Y.
Crump,	Kahn,	Quarles,	Wilson, S. C.
Cummings,	Kerr, Md.	Reeder,	Woods.
Curtis,	Kerr, Ohio	Reeves,	
Cushman,	Lassiter,	Rhea, Va.	
Dahle,	Lentz,	Ridgely,	

So the motion was rejected.

The following additional pairs were announced:

For this day:

Mr. DAHLE with Mr. McCULLOCH.

Mr. BULL with Mr. WILLIAM E. WILLIAMS.

For this vote:

Mr. CONNER with Mr. UNDERWOOD.

Mr. MUDD with Mr. DE ARMOND.

Mr. BAILEY of Kansas with Mr. BREWER.

Mr. O'GRADY with Mr. GASTON.

Mr. GRAHAM with Mr. GRIGGS.

Mr. HITT with Mr. HOWARD.

Mr. LOUD with Mr. MADDOX.

Mr. DOVENER with Mr. COOPER.

Mr. BURTON with Mr. SPARKMAN.

Mr. MESICK with Mr. RHEA of Virginia.

Mr. HAWLEY with Mr. GLYNN.

Mr. KERR of Maryland with Mr. McRAE.

Until further notice:

Mr. WACHTER with Mr. SMALL.

Mr. REEVES with Mr. CATCHINGS.

On Charleston amendment:

Mr. KAHN with Mr. COX.

Mr. GARDNER of Michigan with Mr. STOKES.

Mr. NEWLANDS. Mr. Speaker, I was present and listening, but did not hear my name called, and I desire to vote.

The name of Mr. NEWLANDS was called, and he voted as above recorded.

The result was then announced as above recorded.

The SPEAKER. The question now is on the motion of the gentleman from Michigan [Mr. TAWNEY], that the House further insist on its disagreement to amendment No. 2 and ask for a further conference with the Senate.

The motion was agreed to.

The SPEAKER announced as managers on the part of the House Mr. TAWNEY, Mr. STEELE, and Mr. WILLIAMS of Mississippi.

ARMY APPROPRIATION BILL.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, having under consideration House resolution No. 441, report the same herewith with a recommendation that it be agreed to:

Resolved, That immediately upon the adoption of this resolution it shall be in order to take from the Speaker's table the bill (H. R. 14017) making appropriations for the Army and without intervening motion to move to concur in the Senate amendments thereto in gross: after two hours' debate (one hour on each side) the previous question shall be considered as ordered on said motion, and a vote then be had thereon without delay or intervening motion.

Mr. DALZELL. Upon that, Mr. Speaker, I ask for the previous question.

The question was taken; and the Speaker announced that the ayes had it.

Mr. HAY. A division, Mr. Speaker.

Mr. STEELE. The call for a division came too late. It came after the decision of the Chair.

The SPEAKER. The Chair was putting it rapidly, not anticipating any opposition, and the gentleman was cut off from a fair opportunity to demand a division.

The House again divided; and there were—ayes 118, noes 93.

Mr. HAY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 120, answered "present" 4, not voting 90; as follows:

YEAS—139.

Acheson,	Davenport, S. A.	Kerr, Md.	Pugh,
Adams,	Dick,	Ketcham,	Ray, N. Y.
Aldrich,	Dovenor,	Knox,	Roberts,
Alexander,	Eddy,	Lacey,	Rodenberg,
Babcock,	Emerson,	Lane,	Russell,
Bailey, Kans.	Esch,	Lawrence,	Shattuc,
Barney,	Fletcher,	Littlefield,	Sherman,
Bartholdt,	Fordney,	Loudenslager,	Showalter,
Berry,	Freer,	Lovering,	Sibley,
Bingham,	Gamble,	Lybrand,	Smith, Ill.
Bishop,	Gardner, N. J.	McCleary,	Smith, Iowa
Boutell, Ill.	Gibson,	Mahon,	Southard,
Bowersock,	Gillet, N. Y.	Mann,	Spalding,
Brick,	Gillet, Mass.	Marsh,	Steele,
Bromwell,	Graft,	Mercer,	Stevens, Minn.
Brosius,	Greene, Mass.	Metcalf,	Stewart, N. J.
Brown,	Grosvenor,	Miller,	Stewart, N. Y.
Brownlow,	Grout,	Minor,	Stewart, Wis.
Burke, S. Dak.	Grow,	Mondell,	Tawney,
Burkett,	Hamilton,	Moody, Oreg.	Taylor, Ohio
Burleigh,	Haugen,	Morrell,	Thomas, Iowa
Butler,	Heatwole,	Morris,	Tompkins,
Calderhead,	Hedge,	Mudd,	Van Voorhis,
Cannon,	Hemenway,	Needham,	Vreeland,
Capron,	Henry, Conn.	O'Grady,	Wachter,
Cochrane, N. Y.	Hepburn,	Olmsted,	Wanger,
Connell,	Hill,	Otjen,	Warner,
Conner,	Hitt,	Overstreet,	Watson,
Corliss,	Hoffecker,	Parker, N. J.	Weaver,
Cousins,	Hopkins,	Payne,	Weeks,
Cromer,	Howell,	Pearson,	Weymouth,
Crumpacker,	Hull,	Pearre,	White,
Curtis,	Jack,	Phillips,	Wright,
Cushman,	Jenkins,	Powers,	Young,
Dalzell,	Jones, Wash.	Prince,	

NAYS—120.

Adamson,	Dougherty,	Lloyd,	Ruppert,
Allen, Ky.	Finley,	McAleer,	Ryan, N. Y.
Atwater,	Fitzgerald, Mass.	McClellan,	Ryan, Pa.
Bailey, Tex.	Fitzgerald, N. Y.	McCulloch,	Salmon,
Ball,	Fleming,	McDermott,	Scudder,
Bankhead,	Fox,	McLain,	Shackelford,
Barber,	Gaines,	McRae,	Shafroth,
Bellamy,	Gilbert,	Maddox,	Sheppard,
Benton,	Gordon,	May,	Sims,
Brantley,	Green, Pa.	Meekison,	Slayden,
Breazeale,	Griffith,	Miers, Ind.	Smith, Ky.
Broussard,	Griggs,	Muller,	Snodgrass,
Burke, Tex.	Hall,	Napthen,	Stallings,
Burleson,	Hay,	Newlands,	Stark,
Caldwell,	Henry, Miss.	Norton, Ohio	Stephens, Tex.
Carmack,	Henry, Tex.	Otey,	Sulzer,
Clayton, Ala.	Jett,	Pierce, Tenn.	Swanson,
Cochran, Mo.	Johnston,	Polk,	Talbert,
Cooney,	Jones, Va.	Quarles,	Tate,
Cooper, Tex.	King,	Ransdell,	Terry,
Cowherd,	Kitchin,	Rhea, Ky.	Thayer,
Cox,	Kleberg,	Rhea, Va.	Thomas, N. C.
Crowley,	Klutz,	Richardson, Ala.	Turner,
Cusack,	Lamb,	Richardson, Tenn.	Underwood,
Davenport, S. W.	Lanham,	Riordan,	Vandiver,
Davey,	Lattimer,	Rixey,	Wheeler,
Davis,	Levy,	Robb,	Williams, J. R.
De Armond,	Lewis,	Robinson, Ind.	Williams, Miss.
Denny,	Little,	Robinson, Nebr.	Wilson, Idaho
Dinsmore,	Livingston,	Rucker,	Zenor.

ANSWERED "PRESENT"—4.

Glynn,	Landis,	Meyer, La.	Smith, H. C.
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NOT VOTING—90.

Allen, Me.	Dahle,	Lentz,	Small,
Allen, Miss.	Davidson,	Lester,	Smith, Samuel W.
Baker,	Dayton,	Linney,	Smith, Wm. Alden
Barham,	De Graffenreid,	Littauer,	Sparkman,
Bartlett,	Driggs,	Long,	Sperry,
Bell,	Driscoll,	Lorimer,	Spight,
Boreing,	Elliott,	Loud,	Sprague,
Boutelle, Me.	Faris,	McCall,	Stokes,
Bradley,	Fitzpatrick,	McDowell,	Sulloway,
Brenner,	Foss,	Mesick,	Sutherland,
Brewer,	Foster,	Moody, Mass.	Taylor, Ala.
Brundidge,	Fowler,	Moon,	Thropp,
Bull,	Gardner, Mich.	Morgan,	Tongue,
Burnett,	Gaston,	Neville,	Underhill,
Burton,	Gayle,	Noonan,	Wadsworth,
Campbell,	Gill,	Norton, S. C.	Waters,
Catchings,	Graham,	Packer, Pa.	Williams, W. E.
Chanler,	Hawley,	Pearce, Mo.	Wilson, N. Y.
Clark,	Howard,	Reeder,	Wilson, S. C.
Clayton, N. Y.	Joy,	Reeves,	Woods,
Cooper, Wis.	Kahn,	Ridgely,	Ziegler.
Crump,	Kerr, Ohio.	Robertson, La.	
Cummings,	Lassiter,	Shelden,	

So the previous question was ordered.

The following additional pairs were announced:

Until further notice:

Mr. SAMUEL W. SMITH with Mr. ROBERTSON of Louisiana.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

On this vote:

Mr. BARHAM with Mr. GLYNN.

Mr. COOPER of Wisconsin with Mr. BELL.

Mr. JOY with Mr. RIDGELY.

Mr. KAHN with Mr. SUTHERLAND.

Mr. FARIS with Mr. BRENNER.

Mr. BULL with Mr. SPIGHT.

Mr. SPRAGUE with Mr. ZIEGLER.

Mr. MOODY of Massachusetts with Mr. ALLEN of Mississippi.

Mr. SHELLEN with Mr. UNDERHILL.

Mr. GARDNER of Michigan with Mr. McDOWELL.

The result of the vote was then announced as above recorded.

Mr. DALZELL. Mr. Speaker, I have no disposition at this time to discuss any of the questions that may be incidentally involved in the discussion of this rule. The proposition embodied in the rule is that the Army appropriation bill, which comes back from the Senate with sundry amendments, shall be voted upon on a motion to concur in the Senate amendments, and the proposition is that there shall be two hours' debate—one hour on either side.

In addition to that, of course, there are forty minutes, under the rules of the House, for debate on the rule—twenty minutes on either side. As far as my twenty minutes are concerned, I reserve the balance of my time.

Mr. RICHARDSON of Tennessee. I understand the gentleman to say that we shall have forty minutes' debate on the rule.

Mr. DALZELL. That is the understanding.

Mr. RICHARDSON of Tennessee. Mr. Speaker, we are brought by this rule to the consideration of one of the most important legislative subjects ever presented to the American Congress. This rule forces a vote of the House of Representatives, after one hour's debate, upon a general appropriation bill carrying appropriations for the Army for the next fiscal year, loaded down with the most offensive, obnoxious, and unconstitutional provisions that were ever ingrafted, in my judgment, upon a bill presented to the American Congress.

Mr. Speaker, these provisions of legislation are ingrafted upon this general appropriation bill in defiance of every sound legislative principle and in absolute defiance of the rules of this House. The rules expressly provide that no such legislation shall go upon a general appropriation bill; and yet in defiance of that provision we are brought to the consideration of these far-reaching and most monstrous propositions. We are to have no opportunity to offer a single, solitary amendment to them or even discuss them before the House and country.

Now, Mr. Speaker, I say this rule ought to be voted down. We propose in these amendments—and I shall not have an opportunity to refer to them except in the briefest manner—by one of them we are called upon to make legislative provision for 10,000,000 people in the Philippine Islands. We send to govern them a commission composed of five men, or, what would be worse, a military governor, who is to have no restraint placed upon him except his own sweet will and the instructions of the Chief Executive of this nation.

He is not required to support the Constitution of the United States, and such an obligation may not be put upon him here. The rights of these ten millions of people are wholly disregarded, and they are to be governed indefinitely under the provisions of this bill. Some gentlemen, justifying their action in voting for these Senate amendments, may cite the Louisiana purchase. They may cite other precedents in our history and undertake to say they find something to warrant this far-reaching and unconstitutional legislation, but I deny it.

I deny that there is anything comparable in the government of the Louisiana territory in 1803 with the methods contemplated in this bill. Why, Mr. Speaker, if gentlemen are satisfied with the provisions as to the Louisiana purchase, let them present that here as a substitute for the pending provision for the Philippine Islands and there will be no division between the parties. If they are sincere in citing that as a precedent, let them tender the same plan for the government of the Philippine Islands.

Mr. Speaker, under this bill there will be a government set up in the Philippines over 10,000,000 people who are denied every guaranty given by our Constitution—the right of trial by jury, the right of representation, the right to a voice in their government—and must submit to oppressive taxation without representation of any kind or character. A party founded on freedom, as our friends on the other side claim their party was founded, a party brought into its existence to give freedom to a suffering people, are now proposing to place upon 10,000,000 subjects of America a slavery more galling, if possible, than was ever known in our history or was applicable to those in African slavery.

No right to trial by jury; no constitutional restrictions; no obligations to control them; nothing except the arbitrary will of the men who are sent there to govern them. All the sacred guarantees in the bill of rights are denied them. They are not to look with favor to any provision in the Declaration of Independence and the Constitution of the country under which they live—the Constitution of their country does not apply to them.

Mr. Speaker, this provision is contrary to the traditions and principles of Republicanism and Democracy and every other party that ever existed in this Republic. This rule ought to be voted down for the reasons I have mentioned. In addition to that the Senate amendments deal with Cuba. On April 20, 1898, we gave the people of Cuba and the world a solemn pledge that in waging war on Spain we did not do so for conquest, and did not intend to interfere with the people of Cuba except to give them a stable government and insure them their independence.

Our solemn declaration was—

That the people of the island of Cuba are, and of right ought to be, free and independent.

And again:

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

This bill denies to the people of Cuba a free, independent government. Yet we are not to be permitted to amend it; we are not permitted to mention in detail the provisions of the bill, because it can not be done in the short space of an hour. No man can discuss this measure properly if he consumed all the time given for the discussion. I take it that the majority have prepared their minds to vote to concur in the Senate amendments in gross. On yesterday they were ready to nonconcur, and a resolution was presented and reported to the House proposing to nonconcur in these amendments. To-day this great party in the majority, without a policy, it seems, as to these foreign subjects, reverses its action of yesterday and now comes and proposes to concur in every amendment proposed by the Senate.

Mr. GAINES. Just a moment for a question. The gentleman says that this proposed law is different from the law which was passed with relation to Louisiana and Florida. Does not the main difference consist in the fact that under this bill the President is to make the law, whereas in the other cases the President executed the existing law?

Mr. RICHARDSON of Tennessee. Undoubtedly that is so; but a still greater difference is that in the former cases the Government by the President was temporary. There was a time at which they died.

Mr. GAINES. Louisiana act continued eleven months exactly.

Mr. RICHARDSON of Tennessee. If we had the opportunity to amend this bill we might provide that at the end of the next Congress the government now put in force should cease to operate, but now no provision of that kind is offered. The proposition is simply that this form of government shall last indefinitely, because when this bill is once passed there will be no opportunity ever to change the law until there shall be a Democratic President, a Democratic Senate, and a Democratic House of Representatives. And I say, Mr. Speaker, God speed the time when these blessings shall rest upon our Republic. [Loud applause on the Democratic side.]

Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Of course, Mr. Speaker, in five minutes it would be utterly impossible to discuss the question before the House. We now have the first test, the first real, definite Congressional test of imperialism upon these mighty issues. Heretofore, with Congress shirking its duty, with Congress hesitating to act, with Congress willing to let the Constitution and the traditions of the country be disregarded and violated, the President has ruled with the hand and the power of an emperor. Now, with no opportunity for discussion, scarcely with the opportunity even for a protest, we are to have imperialism sanctioned by the Congress of the United States. There is thrust into this Chamber now, by the tyranny of the majority, by the connivance of others who had power and did not use it, a mighty question, which can not be considered here, but which is to be settled here.

In the closing hours of this session the body which could have prevented, the men who could have barred from this Chamber these great questions, for reasons of their own which I have not time to bring into light and upon which I do not care now to enter—for reasons of their own, yielding to inducements sufficiently powerful upon them and with them, have allowed this measure to come with these amendments to this House; and the House, taking the bidding of its master; the House, ready to surrender its prerogatives; the House, obedient and subservient, denies the right of debate which might be given, shrinks from the discussion of an hour or two, which might easily be given in addition to what is given, rushes blindly along the pathway of imperialism, spits

upon the honor and the pledge of this great Government, dishonors the United States of America, and wrongs millions in the Philippines and in Cuba. Ah, weak, ignoble House! Ah, mean and contemptible tyranny—abject evidence of abject slavery!

There never has been a day fuller of fate for freedom and liberty in the Republic of the United States than this; and here, with the representatives of the American people shackled with trades and bargains and connivance, with cringing and bending of the knee that thrift may follow fawning, the rights of the American people are to be frittered away, their Constitution is to be disregarded, the people in the far-away Philippines are to be outraged, the risk of war in Cuba is to be hazarded, and all, all that those subservient enough to do it may register the decrees of imperial majesty here in the Congress of the United States of America; and, shame upon shame, this is to be done here in what is supposed to be the House of Representatives of the American people, but which really is the House of Representatives of the bosses and the managers and the traders and the traffickers, those who have no respect for the Constitution, those who have no respect for their constituencies, those who have no respect for what ought to be their own manhood, those who surrender their every right, those who grovel in the dust and seem to rejoice that they are so constituted that they may crawl instead of standing erect, as God probably intended that they should do. [Applause.]

If I had the time I would be glad to discuss this infamous measure. I would be glad to discuss the infamous procedure, the infamous surrender, the infamous cowardice, the infamous trading and trafficking, the infamous disregard of everything sacred and holy and decent and honorable and glorious in these United States of America. But the time is lacking. The people abroad, perhaps, in their day (for their day, I hope in the good providence of God, is coming) probably the people abroad may brand as they deserve, and may lash from public places, as ought to be done, the recreant men—men in appearance—recreant creatures, who are ready now to surrender everything and forego everything that is decent, honorable, and constitutional, and right—everything that has tended to make our nation glorious, and who resort willingly to everything that may make it infamous now and in all the hereafter.

I commend to the tyrants here, I commend to the sycophants and the traders and the traffickers elsewhere, the plunder they get. For one, I will stand here, even in the brief time that I have, true to my conceptions of the Constitution of my country, of the honor of the great Republic, of our duties to our own people and to civilization, and protest. I condemn, fruitlessly though it may be here, the infamy that you are perpetrating. [Loud applause on the Democratic side.]

Mr. RICHARDSON of Tennessee. Mr. Speaker, how much time have I left?

The SPEAKER. Five minutes.

Mr. RICHARDSON of Tennessee. I yield four minutes to the gentleman from Arkansas [Mr. DINSMORE].

Mr. DINSMORE. Mr. Speaker, this rule introduced here comports most harmoniously with the purposes which it seeks to accomplish. Resorted to in violation of all the observances of the House, in violation of our laws, with the deliberate purpose of imposing upon the country an infraction of every tradition, an abandonment of every principle we have professed, an absolute reversal of our history as a nation; and you propose to drag down the honored name of the Republic in the dust, to crush out liberty where we have promised to establish it, to break national faith, to violate our publicly proclaimed national promise, and for what? From motives of greed and lust of power alone.

Mr. Speaker, the die is cast; the purpose has been deliberately formed and will be relentlessly carried out, to go forward and fix the position of the United States amongst the nations of the earth as the oppressor of humanity rather than as heretofore the friend and the uplifter of the oppressed.

For one, while we have not the opportunity to discuss the infamous features of the measure proposed, and shall not have, for you dare not let us discuss it, I shall at least in the remainder of my life regard with satisfaction the fact that I had the opportunity, even though by but a word, to express my unutterable abhorrence of such infamous conduct.

What is it we do? I must put it in two brief propositions. We establish a tyrannous rule in the Philippine Islands against their will, depriving the inhabitants of the most valued and valuable rights of self-government, denying to them the right of citizenship, and make them subject entirely to the will of the President of the United States, the laws being administered by officers upon whom there is not imposed even the obligation of an oath to support the Constitution of the United States.

On the other hand, after we made war against Spain to make the Cubans free and solemnly declared that we had no motive of conquest, that we had no intention of exercising sovereignty or jurisdiction except for the pacification of the island, and that when this was accomplished our forces should be withdrawn for

the Cuban people were and of right should be free and independent, it is now proposed to force upon them permanently our own superintendence, and to require them, by the amendments on the pending bill, to recognize in their constitution, their organic law, our right to intervene when we see fit, to enforce a government such as we think is required to preserve life, property, and liberty.

Whatever gentlemen may think of the importance of American domination of Cuba, we may, under invocation of the Monroe doctrine, enforce our every right, a policy which we have never asserted in vain and under which we could continue honorably to protect all our interests; but even if we should suffer I hold that the preservation of a nation's honor is of the highest importance and that its plighted faith must be kept.

In all business and social relations society has laid upon the individual an obligation to keep his word, to perform his promise, and he can not, without the sacrifice of honor, break it. It is no less binding upon nations, and that man is no friend to his country who would have it violate this law. Commercial spirit has made us mad, and greed has taken the place in the hearts of men where patriotism should abide. Shall we, who struck the foremost nation in all this world to achieve our liberty, sell the mighty span of our large honors for so much trash as may be granted thus?

You steal away the liberties of men. It is not only an assault upon the liberties of the Filipinos and of the Cubans that you make, but it is an attack upon liberty everywhere, and one which threatens every household in our own land, because if we can force upon others this obnoxious and wrongful oppression it will ultimately steal away the liberties of Americans themselves. [Loud applause on the Democratic side.]

Mr. RICHARDSON of Tennessee. I have only one minute left, and I hope the gentleman will use some of his time.

Mr. DALZELL. Mr. Speaker, how much time have I remaining?

The SPEAKER. Nineteen minutes and a half.

Mr. DALZELL. I yield five minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Speaker, I wish to call attention of the Democratic members of this Congress to the excellent precedent for the bill which is denounced now as tyrannous. I want to invite their attention to the act of 1803, in the second General Statutes, page 245, enacted under Jefferson's Democratic Administration, providing:

JEFFERSON'S PLAN FOR LOUISIANA IN 1803.

SEC. 2. And be it further enacted, That until the expiration of the present session of Congress, unless provision for the temporary government of the said territories be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property, and religion.

Approved October 31, 1803.

In 1804, the following year, a further act was passed, which is found in the Second Statutes at Large, page 284:

JEFFERSON'S PLAN FOR LOUISIANA IN 1804.

SEC. 4. The legislative powers shall be vested in the governor and in thirteen of the most fit and discreet persons of the Territory, to be called the legislative council, who shall be appointed annually by the President of the United States from among those holding real estate therein, and who shall have resided one year at least in the said Territory and hold no office of profit under the territory of the United States.

The governor, by and with advice and consent of the said legislative council or of a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the Constitution and laws of the United States, or which shall lay any person under restraint, burden, or disability on account of his religious opinions, professions, or worship, in all which he shall be free to maintain his own and not burdened for those of another.

The governor shall publish throughout the said Territory all the laws which shall be made, and shall from time to time report the same to the President of the United States, to be laid before Congress; which, if disapproved by Congress, shall thenceforth be of no force. The governor or legislative council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to land within the said Territory. The governor shall convene and prorogue the legislative council whenever he may deem it expedient. It shall be his duty to obtain all the information in his power in relation to the customs, habits, and dispositions of the inhabitants of the said Territory and communicate the same from time to time to the President of the United States.

These were the Democratic provisions for the government of the Territory of Louisiana from which the bill, which is now criticised, has substantially been copied. And it was under these laws that the region now occupied in part by Iowa was governed for many years.

Mr. RICHARDSON of Tennessee. If you will give us the provisions of that bill we will take it now.

Mr. LACEY. I thank the gentleman from Tennessee for his suggestion, but he will find on examination that the proposition in the present bill is the same as that of Jefferson's governmental act for Louisiana in 1803, only slightly modified to adapt it to the existing conditions in the Philippines.

I will read the propositions of the present bill, inviting the attention of the House to its close adherence to the lines marked out by the fathers in 1803 with regard to the government of Louisiana.

You will note that the differences are in the nature of limitations

on the power of the Government to legislate, which were not contained in the Louisiana act. The following is the proposition of the present bill:

PROPOSITIONS AS TO THE PHILIPPINE ISLANDS, 1901.

All military, civil, and judicial powers necessary to govern the Philippine Islands, acquired from Spain by the treaties concluded at Paris on the 10th day of December, 1898, and at Washington on the 7th day of November, 1900, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion: *Provided*, That all franchises granted under the authority hereof shall contain a reservation of the right to alter, amend, or repeal the same.

Until a permanent government shall have been established in said archipelago full reports shall be made to Congress on or before the first day of each regular session of all legislative acts and proceedings of the temporary government instituted under the provisions hereof; and full reports of the acts and doings of said government, and as to the condition of the archipelago and of its people, shall be made to the President, including all information which may be useful to the Congress in providing for a more permanent government: *Provided*, That no sale or lease or other disposition of the public lands or the timber thereon or the mining rights therein shall be made: *And provided further*, That no franchise shall be granted which is not approved by the President of the United States, and is not in his judgment clearly necessary for the immediate government of the islands and indispensable for the interests of the people thereof, and which can not, without great public mischief, be postponed until the establishment of permanent civil government; and all such franchises shall terminate one year after the establishment of such permanent civil government.

MONROE'S PLAN FOR FLORIDA IN 1822.

Mr. LACEY. Now as to Florida. 't was provided in 1822 under another Democratic Administration:

And be it further enacted, That the legislative power shall be vested in the governor and in thirteen of the most fit and discreet persons in the Territory, to be called the legislative council, who shall be appointed annually by the President of the United States, by and with the advice and consent of the Senate, from among the citizens of the United States residing there. The governor, by and with the advice and consent of the said legislative council, or a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act.

Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the Constitution and laws of the United States, or which shall lay any person under restraint, burden, or disability on account of his religious opinions, professions, or worship; in all which he shall be free to maintain his own, and not burdened with those of another.

It will be observed that in 1822, while the action in regard to Louisiana was still fresh, and while the Democratic party was still in power, they followed the precedent of the Louisiana act by a similar enactment for Florida. It will be observed, further, that in the Louisiana legislation the power of lawmaking was vested in a governor, by and with the consent of a legislative council of fifteen, both the governor and council being appointed by the President of the United States.

Mr. Bryan would call this imperialism, and so would the gentleman from Tennessee.

When it came to legislation for Florida the legislative power was vested in "a governor and thirteen discreet persons," who should be a legislative council, all appointed by the President. The Florida act almost literally follows the Louisiana act. In later years similar legislation has been enacted, without any objection from our Democratic brethren, for Alaska.

So we have most eminent precedents for the bill that is now denounced as tyranny, precedents from the fathers themselves, going back to Jefferson and Monroe; and that law worked well, and it resulted in giving freedom, it resulted in giving good government, to the people of Louisiana and Florida. And, Mr. Speaker, we are confronted with the same proposition now, only in addition to the situation that existed then in Louisiana and in Florida we have actively a war upon our hands in the Philippine Islands, a war in which, I regret to say, our enemies have received much aid and comfort within the limits of the United States of America.

In looking at this morning's dispatches I noticed the arrival of the body of Lieut. John Morrison, jr., a native of the Congressional district which I represent, at San Francisco. He was recently ambushed and murdered in cold blood by the insurgents in Luzon; and yet, Mr. Speaker, one gentleman has arisen on the floor of this House and said that the soldiers under Morrison's command ought to desert, and approved the desertion of those few degenerates who have gone over to the Filipino enemies.

The country was confronted with difficulties on the annexation of Louisiana in many respects like those which now embarrass President McKinley in the Philippines. An alien population, speaking the French and Spanish languages, together with the aboriginal savages, inhabited the territory, and like legislation is proposed to meet analogous circumstances.

THE CUBAN SITUATION.

As to Cuba the situation was different. The purpose of this Government was outlined in the resolution by which we intervened in the affairs of that unhappy island. The binding force of that resolution nobody in the United States will now deny, but it does not follow by any means that this country has no rights in Cuba, or power to direct its destiny.

We have spent vast sums of money and sacrificed many valuable lives in securing for Cuba her independence from Spain.

We had, however, another purpose in view in that intervention, which was to abate an insufferable nuisance within 90 miles of our shores. Having, at a cost of millions of dollars and the sacrifice of thousands of lives, freed Cuba from her oppressors, we not only have the right, but it is our duty, to be sure that Spanish tyranny is not followed by anarchy in that island, and the assurances in this bill are both reasonable and moderate. They are in the best interest of Cuba and of ourselves. Let us look at the conditions proposed in the bill:

Provided further, That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain, by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

II.

That said government shall not assume or contract any public debt to pay the interest upon which and to make reasonable sinking-fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V.

That the government of Cuba will execute, and as far as necessary extend, the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the Southern ports of the United States and the people residing therein.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

These conditions are but simple modifications and adaptations of the Monroe doctrine, applying that doctrine to conditions as they exist at present, as it is our right to do.

I will not detain the House longer at this time. We have a right, both on principle and precedent, to legislate as is proposed in the present bill.

Mr. Speaker, we have these most excellent precedents to which I refer, and which have been followed by the Senate in making the amendment which we are called upon now to ratify and confirm. Of course this class of legislation, this method of government of any country, must be a temporary expedient; permanent government must follow; but these are the necessary preliminaries followed in the past, and will be found successful in the present. [Applause on the Republican side.]

Mr. DALZELL. Now, if the gentleman desires to use the balance of his time, I wish he would do so.

Mr. RICHARDSON of Tennessee. I have only one minute.

Mr. DALZELL. I have no applications for time.

Mr. RICHARDSON of Tennessee. Then, Mr. Speaker, in that minute of course I can not say anything further than I have said in the way of debate. I propose now, however, if the gentleman from Iowa who has just taken his seat will bring forward for the government of the Philippines such a bill as he has charged was passed for the government of the Louisiana territory, we will cease all contention and give him the solid Democratic vote of this side of the House. [Applause.]

We will stop all contention and dispute and further controversy; we will govern the people of the Philippine Islands just as the people of Louisiana were governed by Jefferson. Now, let the gentleman come forward with his proposition, and we will have

peace and harmony here on this subject. [Loud applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, one would suppose from what has been said on the other side of this Chamber that something out of the ordinary run is sought to be done by the adoption of this rule. That is not so. We simply are adopting the method adopted always by the party of the House responsible for legislation when called upon to finish the public business when it is necessary that it should be done without undue debate.

Why, I recollect the time when, under a Democratic administration of this House, a rule was brought into the House which provided for the introduction of bills aimed at all the great industries of this country, which provided that those bills should be considered without being printed, without being sent to a committee, and considered with only fifteen minutes of debate, and yet here is complaint that we are unduly cutting off debate, when two hours are allowed for the discussion of a subject which has been debated month in and month out during the last three years of our history.

Mr. GREEN of Pennsylvania. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Does the gentleman from Pennsylvania yield? Mr. DALZELL. I do.

Mr. GREEN of Pennsylvania. Did not the Republicans at that time protest against that kind of procedure?

Mr. DALZELL. Undoubtedly, and protested in vain; and if you would undertake to bring in such a rule now we would protest again. But between that situation and this situation there is no analogy. What is the present situation? We are within four days of adjournment—the compulsory end of the session.

The Army appropriation bill comes over to us carrying two propositions, two main propositions, about which the majority of this House have no doubt, and in the discussion of which gentlemen upon that side of the Chamber have not been at all curtailed.

These propositions in substance have been discussed time and again during not only this Congress but during the preceding Congress. One proposition is that we shall enact into law substantially the Louisiana resolution of 1803. The other is that we shall make such a provision—

Mr. WILLIAMS of Mississippi. Will the gentleman permit me to ask him a question?

Mr. DALZELL. Certainly.

Mr. WILLIAMS of Mississippi. Did not the Louisiana resolution to which the gentleman referred by its own terms extend only until Congress should meet again?

Mr. DALZELL. It did.

Mr. WILLIAMS of Mississippi. But this resolution provides otherwise. It provides that it shall continue until Congress directs otherwise, and that will have to meet with the approval of the President; and therefore this resolution continues as long as the President wills that it shall act.

Mr. DALZELL. I will answer the gentleman. This resolution, while it is substantially the Louisiana resolution, is a much more generous resolution than was that, and the provisions of this resolution are much more generous toward the people of the Philippine Islands than was the Louisiana resolution toward the inhabitants of the Louisiana territory.

It is more generous even than was the legislation which succeeded it for the government of the Louisiana territory. Let me read from a historian of repute as to what that government was—a government under the Democratic Administration of Thomas Jefferson. I read from the historian Adams:

It created a Territorial form of government in which the people of Louisiana were to have no share. The governor and secretary were to be appointed by the President for four years. The legislative council, constituted of thirteen members, was to be appointed by the President without consulting the Senate, and was to be convened and prorogued by the governor as he might think proper. The judicial officers, also appointed by the President, were to hold office for four years instead of the usual term of good behavior. * * * The bill—

I continue to quote from this historian, this impartial historian—

It seemed to set the new Territory apart as a peculiar estate, to be governed by the power employed in the right to acquire it.

With the passage of this act and its twin statute for collecting duties in the ceded territory the precedent was complete. Louisiana received a government in which its people, who had been solemnly promised all the rights of American citizens, were set apart, not as citizens, but as subjects, lower in the political scale than the meanest tribe of Indians, whose right to self-government was never questioned. By these measures the Executive and the Legislature recorded their decision in regard to the powers of government over national territory.

There is a Democratic precedent as against your protest of today.

Mr. HENRY of Texas. In the Louisiana act is it not a fact that trial by jury was provided for, and that there was also an express provision that the inhabitants of that territory should have the right to be jurors?

Mr. DALZELL. Certainly not. There was no provision of that kind in the original Louisiana act.

Mr. HENRY of Texas. If the gentleman will permit me I will read it.

Mr. DALZELL. The gentleman can be heard in his own time. I can not yield now.

Mr. HENRY of Texas. I want to read the law. I will state that there is an express provision guaranteeing the right of trial by jury.

Mr. DALZELL. Oh, I have been all over the question and know what was in the original act, and what was in the Territorial act. There was nothing in the original act as to trial by jury. I have read to you the judgment of the historian Adams as to what was the meaning of the Territorial act, and I will set that up in connection with the provisions embodied in this bill.

I have listened to the gentleman from Missouri repeat here what he repeated on the stump, but the verdict of the people on the stump last November was against him, and the same verdict will continue to be repeated whenever this matter shall be submitted to them. [Applause on the Republican side.]

Mr. HENRY of Texas. If the gentleman will permit me to interrupt him, I will read from the act itself, while he has been reading from a commentary.

Mr. DALZELL. I can not yield now. The gentleman knows, and every gentleman knows who will be honest and frank about the matter, that under the instructions given by the President to the Philippine Commission every guaranty of liberty existing under the Constitution of the United States, so far as it is possible to extend that guaranty, has been extended to the citizens of the Philippine Islands.

Now, the other provision here is simply a provision for carrying out the Monroe doctrine in connection with our relations to the island of Cuba and in making proper sanitary provisions, not only for the protection of the people of Cuba, but for the protection of our own people. Upon these two subjects every gentleman in this House has already made up his mind, and it can not be changed by any debate, limited or unlimited.

Mr. RICHARDSON of Tennessee. Will my friend yield to me for a question?

Mr. DALZELL. What is the question?

Mr. RICHARDSON of Tennessee. The gentleman says that this act, as to Cuba, is simply reenacting the Monroe doctrine. Does the gentleman imagine that at this day it is necessary to pass any act in respect to Cuba of that kind?

Mr. DALZELL. It is not a reenactment of the Monroe doctrine. It is simply a declaration as to the pertinence of that doctrine to our relations with Cuba.

Mr. RICHARDSON of Tennessee. The gentleman does not think it necessary to pass an act in respect to Cuba of that kind or any South American Republic, does he?

Mr. DALZELL. I think, under the existing circumstances, it is proper and necessary for us to pass this act, so that it may be accepted by the people of the island of Cuba.

The SPEAKER. The question is on agreeing to the resolution. The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. HAY. A division, Mr. Speaker.

Mr. DALZELL. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 127, marked "present" 4, not voting 77, as follows:

YEAS—145.

Acheson,	Dick,	Joy,	Ray, N. Y.
Adams,	Dovener,	Kahn,	Rodenberg,
Aldrich,	Eddy,	Kerr, Md.	Russell,
Alexander,	Emerson,	Kerr, Ohio	Shattuc,
Allen, Me.	Esch,	Ketcham,	Sherman,
Babcock,	Faris,	Knox,	Showalter,
Bailey, Kans.	Fletcher,	Lacey,	Sibley,
Baker,	Fordney,	Lane,	Smith, Ill.
Barham,	Fowler,	Linney,	Smith, Iowa
Barney,	Freer,	Littauer,	Smith, Wm. Alden
Bartholdt,	Gamble,	Long,	Southard,
Bishop,	Gardner, Mich.	Loudenslager,	Spalding,
Boutell, Ill.	Gardner, N. J.	Lovering,	Sperry,
Bowersock,	Gibson,	Lybrand,	Steele,
Brick,	Gill,	Mahon,	Stewart, N. J.
Bromwell,	Gillet, N. Y.	Mann,	Stewart, N. Y.
Brosius,	Graff,	Marsh,	Stewart, Wis.
Brown,	Greene, Mass.	Mercer,	Sulloway,
Brownlow,	Grosvenor,	Miller,	Taylor, Ohio
Burke, S. Dak.	Grow,	Minor,	Thomas, Iowa
Burkett,	Hamilton,	Mondell,	Tompkins,
Butler,	Haugen,	Moody, Mass.	Tongue,
Calderhead,	Hawley,	Moody, Oreg.	Van Voorhis,
Cannon,	Heatwole,	Morris,	Vreeland,
Capron,	Hedge,	Needham,	Wachter,
Cochrane, N. Y.	Hemenway,	O'Grady,	Wadsworth,
Connell,	Henry, Conn.	Olmsted,	Wanger,
Conner,	Hepburn,	Otjen,	Waters,
Corliss,	Hill,	Overstreet,	Watson,
Cousins,	Hitt,	Parker, N. J.	Weaver,
Cromer,	Hoffecker,	Payne,	Weeks,
Crumpacker,	Hopkins,	Pearce, Mo.	Weymouth,
Curtis,	Howell,	Pearson,	Wright,
Cushman,	Hull,	Phillips,	Young.
Dahle,	Jack,	Powers,	
Davenport, S. A.	Jenkins,	Prince,	
Davidson,	Jones, Wash.	Pugh,	

NAYS—127.

Adamson,	Dinsmore,	Lester,	Robb,
Allen, Ky.	Dougherty,	Lewis,	Robinson, Ind.
Allen, Miss.	Driggs,	Little,	Robinson, Nebr.
Atwater,	Driscoll,	Livingston,	Rucker,
Bailey, Tex.	Finley,	Lloyd,	Ruppert,
Ball,	Fitzgerald, Mass.	McAleer,	Ryan, N. Y.
Bankhead,	Fitzgerald, N. Y.	McCall,	Ryan, Pa.
Barber,	Fitzpatrick,	McClellan,	Scudder,
Bell,	Fleming,	McCulloch,	Shafroth,
Bellamy,	Fox,	McDowell,	Sheppard,
Benton,	Gaines,	McLain,	Sims,
Brantley,	Gaston,	McRae,	Slayden,
Breazeale,	Gayle,	May,	Smith, Ky.
Brenner,	Gilbert,	Meekison,	Snodgrass,
Broussard,	Glynn,	Miers, Ind.	Spight,
Brundidge,	Gordon,	Moon,	Stallings,
Burke, Tex.	Green, Pa.	Muller,	Stark,
Burleson,	Griffith,	Naphen,	Stephens, Tex.
Burnett,	Hall,	Newlands,	Sulzer,
Caldwell,	Hay,	Norton, S. C.	Sutherland,
Carmack,	Henry, Miss.	Otey,	Swanson,
Clayton, Ala.	Henry, Tex.	Pierce, Tenn.	Talbert,
Cochran, Mo.	Jett,	Polk,	Tate,
Cooney,	Johnston,	Quarles,	Terry,
Cooper, Tex.	Jones, Va.	Ransdell,	Thomas, N. C.
Cowherd,	Kitchin,	Rhea, Ky.	Turner,
Cusack,	Kleberg,	Rhea, Va.	Underwood,
Davenport, S. W.	Kluttz,	Richardson, Ala.	Vandiver,
Davey,	Lamb,	Richardson, Tenn.	Williams, J. R.
Davis,	Lanham,	Ridgely,	Williams, Miss.
De Armond,	Latimer,	Riordan,	Zenor.
Denny,	Lentz,	Rixey,	

ANSWERED "PRESENT"—4.

Boreing,	Meyer, La.	Taylor, Ala.	Thayer.
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NOT VOTING—77.

Bartlett,	Dayton,	Maddox,	Smith, Samuel W.
Berry,	De Graffenreid,	Mesick,	Sparkman,
Bingham,	Elliott,	Metcalf,	Sprague,
Boutelle, Mo.	Foss,	Morgan,	Stevens, Minn.
Bradley,	Foster,	Morrell,	Stokes,
Brewer,	Gillett, Mass.	Mudd,	Tawney,
Bull,	Graham,	Neville,	Thropp,
Burleigh,	Griggs,	Noonan,	Underhill,
Burton,	Grout,	Norton, Ohio.	Warner,
Campbell,	Howard,	Packer, Pa.	Wheeler,
Catchings,	King,	Pearre,	White,
Chanler,	Landis,	Reeder,	Williams, W. E.
Clark,	Lassiter,	Reeves,	Wilson, Idaho
Clayton, N. Y.	Lawrence,	Roberts,	Wilson, N. Y.
Cooper, Wis.	Levy,	Robertson, La.	Wilson, S. C.
Cox,	Littlefield,	Salmon,	Woods,
Crowley,	Lorimer,	Shackelford,	Ziegler.
Crump,	Loud,	Shelden,	
Cummings,	McCleary,	Small,	
Dalzell,	McDermott,	Smith, H. C.	

So the resolution was adopted.

The following additional pairs were announced:

Until further notice:

Mr. GRAHAM with Mr. WILSON of South Carolina.

On this vote:

Mr. TAWNEY with Mr. CROWLEY.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

Mr. SAMUEL W. SMITH with Mr. NORTON of Ohio.

Mr. WOODS with Mr. BARTLETT.

Mr. FLEMING. Mr. Speaker, I desire to know whether Mr. FITZPATRICK is recorded as voting. The reason I ask is, I think the Clerk got the response from me for his name.

The SPEAKER. The gentleman is recorded.

Mr. FLEMING. I am quite sure that the gentleman is not here, and that they mistook my response for his.

The SPEAKER pro tempore. Does the gentleman from Georgia wish to vote?

Mr. FLEMING. My vote is all right, but I think the Clerk got my response for my name and also for Mr. FITZPATRICK's, as there was some confusion at the time.

The result of the vote was then announced as above recorded.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to make a point of order, and desire to be heard briefly upon it. I ask as a preliminary that the Clerk report the first two or three lines of the rule just adopted.

The SPEAKER. The Clerk will read the rule.

The Clerk read as follows:

Resolved, That immediately after the adoption of this resolution it shall be in order to take from the Speaker's table—

Mr. RICHARDSON of Tennessee. That is sufficient. The point of order I make, Mr. Speaker, is that the rule is inoperative, because the bill which this rule, by express words, orders taken from the Speaker's table is not on the Speaker's table, but is in the Committee on Military Affairs. On yesterday, the Chair will remember, when the bill came from the Senate, that unanimous consent was asked to take it up and by unanimous consent agree to nonconcur in the Senate amendments, objection was made. Thereupon, under the rule, the Speaker must refer the bill to the committee to which it belongs, and that is the Committee on Military Affairs. Of course, the Speaker did his duty. No gentleman would presume to say that the Speaker did not do what the rule

provides he shall do. The bill, we conclude, was referred, therefore, to the Committee on Military Affairs, and that committee is considering it.

This rule does not discharge the Committee on Military Affairs from the further consideration of the bill, but the bill is now in that committee and it is now considering it, or it should be, being a bill of so much importance. This being true, the motion to take it from the Speaker's table provided for by this rule must be inoperative. The bill is in the Military Committee, it is not on the Speaker's table; and the motion to take it from the Speaker's table does not discharge the Committee on Military Affairs from its consideration, and therefore this rule just passed is absolutely void and inoperative.

Mr. HULL. Why, Mr. Speaker, that point is too late. It is too late to raise it now.

Mr. DALZELL. Of course it is.

Mr. RICHARDSON of Tennessee. Not at all.

Mr. HULL. It should have been raised when this resolution was introduced.

Mr. RICHARDSON of Tennessee. I could not raise it until now. It is absolutely inoperative, because the bill is not on the Speaker's table.

Mr. HULL. The point comes too late.

Mr. RICHARDSON of Tennessee. The rule calls for the bill to be taken from the Speaker's table, and it is in the Committee on Military Affairs.

Mr. DALZELL. But the bill has never been referred to the Committee on Military Affairs.

Mr. RICHARDSON of Tennessee. Oh, I hope the gentleman will not make that defense, as that assumes the Speaker did not do his duty.

The SPEAKER. The Clerk will read clause 2 of Rule XXIV. The Clerk read as follows:

2. Business on the Speaker's table shall be disposed of as follows: Messages from the President shall be referred to the appropriate committees without debate. Reports and communications from the heads of Departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate may be referred to the appropriate committees in the same manner and with the same right of correction as public bills presented by members; but House bills with Senate amendments which do not require consideration in a Committee of the Whole, may be at once disposed of as the House may determine, as may also Senate bills substantially the same as House bills already favorably reported by a committee of the House, and not required to be considered in Committee of the Whole, be disposed of in the same manner on motion directed to be made by such committee.

Mr. RICHARDSON of Tennessee. I will not detain the Chair more than a moment.

This is a bill which, I submit, can not be taken from the Speaker's table except by unanimous consent. Under the rules it requires consideration in Committee of the Whole. Otherwise the gentleman from Iowa need not have asked unanimous consent yesterday to call it up and nonconcur. He could have made a motion to that effect. But the very fact that he made a request to call it up by unanimous consent is a concession that it is a bill which should go to the Committee of the Whole; and I assume, of course, the Speaker did his duty and sent it to the Military Committee.

If it were not a bill which required consideration in the Committee of the Whole it would have been in order to take it from the Speaker's table, or it would have remained on the Speaker's table until laid before the House by the Speaker, and a motion to concur or nonconcur in the Senate amendments would have been in order. But it requires consideration in Committee of the Whole. No one will controvert that. The gentleman from Iowa, as I have said, acted on that assumption. He asked unanimous consent because he could not by motion take it from the Speaker's table for consideration, and I assume the Speaker, under the rule just read, did what the rules required him to do—that is, sent it to the Military Committee.

This morning the House bill making appropriation for the improvement of rivers and harbors came back from the Senate with Senate amendments, which required consideration in the Committee of the Whole just as the amendments to this bill did. The gentleman from Ohio [Mr. BURTON] following correctly the same line of precedents followed by the gentleman from Iowa, rose in his place and asked unanimous consent to take up that bill and nonconcur in the Senate amendments. Unanimous consent was refused. What then did the Speaker do? He sent it to the Committee on Rivers and Harbors.

So yesterday he must have sent this bill to the Committee on Military Affairs. That able committee, I have no doubt, is at this moment considering this bill, and we can not, by a motion to take it from the Speaker's table, discharge that able committee from its further consideration.

Of course the Chair is familiar with the rule I have already recited. I read from the Digest:

The three requisites for calling up a Senate bill directly from the Speaker's table are that it be not such as to require consideration in the Committee of the Whole, that there be a similar bill on the House Calendar, and that it be called up by authority of a committee.

This bill does require consideration in the Committee of the Whole. No bill like this has been reported by the Military Committee or any other committee before in any legislative body that ever sat on the face of this earth. It is sui generis. Therefore the Speaker must have referred it to the Committee on Military Affairs. And therefore this motion to take it from the Speaker's table must be inoperative.

The SPEAKER. The House is well aware—and the Chair presumes no one more so than the gentleman from Tennessee who submits this point of order—that in the rule which the Chair has had read the language is “may be referred”—not “must be referred.”

Furthermore, every Speaker since the service of the present occupant of the chair began in this House, has exercised a discretion in regard to the matter of making references of bills immediately. This bill, according to the practice for many years—the Chair does not know how long—was not referred to the Committee on Military Affairs, and is in fact upon the Speaker's table. If the Speaker erred or departed from the rule in retaining the bill on the table, that error would not do away with the fact that here is the bill upon his table; and that alone destroys the effect of the point of order submitted by the gentleman from Tennessee.

But the Chair believes that in this matter he has simply exercised a discretion which has usually been exercised in this House by occupants of the chair. There is scarcely a member of this House who, when interested in a bill coming from the Senate, as this bill came, has not requested the Chair to hold the bill upon the Speaker's table until it could be disposed of by unanimous consent or otherwise.

It was just as easy to make this special rule applicable to the bill in the Committee of the Whole as on the Speaker's table. It was absolutely within the right of the Committee on Rules to provide for discharging the Committee on Military Affairs from the consideration of the bill and taking it up in the House for consideration. But the bill was not with that committee.

There is another point to which the Chair desires to invite the attention of the House. No member of this House has lost any rights by reason of the bill remaining upon the Speaker's table. No one is injured. If it had gone to the Committee on Military Affairs the special rule would have been differently drafted.

The Chair must overrule the point of order on two grounds—

Mr. RICHARDSON of Tennessee rose.

The SPEAKER. The gentleman will be kind enough to allow the Chair to conclude.

Mr. RICHARDSON of Tennessee. I was going to state something that I should have read when on the floor before.

The SPEAKER. The Chair has practically decided this matter.

Mr. RICHARDSON of Tennessee. Very well; I can read it afterwards.

The SPEAKER. The point of order is overruled; first, because the bill is on the Speaker's table. That being the fact, nothing more need have been said in deciding the point of order. Whatever else the Chair may have said in this ruling was designed to show that he has been acting in the line set by his predecessors and in accordance with the practice of this House.

Mr. RICHARDSON of Tennessee. Will the Chair allow me to read three lines?

The SPEAKER. The Chair is not in the habit of allowing a matter of that kind after the point has been decided; but if the gentleman insists the Chair will hear him. When a matter has once been decided it is better that we go on with the work of the House.

Mr. RICHARDSON of Tennessee. The Chair said that according to the reading of the rule the Chair “may” refer the bill on the Speaker's table; that the language was “may” and not “shall.” But in the Fifty-first Congress Mr. Speaker Reed decided that—

A House bill with Senate amendments requiring consideration in the Committee of the Whole should be referred from the Speaker's table to the proper standing committee under the rule.

“Should be”—not simply “may be.”

The SPEAKER. That is true as to ultimate action; but nowhere in the rules or the decisions can be found any notation, decision, or ruling saying just when a bill shall be referred. This course is pursued—and the Chair invites the attention of the gentleman—in the interest of the public business, to facilitate and expedite the work of the House. It is the course that has been repeatedly and in fact daily pursued, and the Chair thinks it has been for the good of the public service, no one being damaged.

Mr. RICHARDSON of Tennessee. I very respectfully appeal from the decision of the Chair.

Mr. DALZELL. I make the point of order that the motion is dilatory. It is purely for the purpose of delay. Gentlemen on the other side have been delaying the proceedings all day.

Mr. RICHARDSON of Tennessee. It is not for delay. I have made no dilatory motions.

Mr. SHERMAN. I move that the appeal be laid on the table.

Mr. GROW. On that question I call for the yeas and nays.
The yeas and nays were ordered.
The question was taken; and there were—yeas 147, nays 116,
answered "present" 3, not voting 87; as follows:

YEAS—147.

Acheson,	Dalzell,	Jack,	Ray, N. Y.
Adams,	Davenport, S. A.	Jones, Wash.	Roberts,
Aldrich,	Dick,	Kahn,	Rodenberg,
Alexander,	Dovener,	Kerr, Md.	Russell,
Allen, Me.	Driscoll,	Kerr, Ohio	Shattuc,
Babcock,	Eddy,	Ketcham,	Shelden,
Bailey, Kans.	Emerson,	Knox,	Sherman,
Baker,	Esch,	Lacey,	Showalter,
Barham,	Fleming,	Lawrence,	Sibley,
Barney,	Fletcher,	Littauer,	Smith, Ill.
Bartholdt,	Fordney,	Littlefield,	Smith, Iowa
Bishop,	Fowler,	Long,	Smith, H. C.
Boutell, Ill.	Freer,	Loud,	Smith, Samuel W.
Bowersock,	Gambie,	Lovering,	Southard,
Brick,	Gardner, Mich.	McCall,	Spalding,
Bromwell,	Gardner, N. J.	Mahon,	Sperry,
Brosius,	Gibson,	Mann,	Steele,
Brown,	Gill,	Marsh,	Stevens, Minn.
Brownlow,	Gillet, N. Y.	Metcalf,	Stewart, N. J.
Burke, S. Dak.	Graff,	Miller,	Stewart, N. Y.
Burkett,	Greene, Mass.	Minor,	Stewart, Wis.
Burleigh,	Grosvenor,	Mondell,	Sulloway,
Butler,	Grout,	Moody, Mass.	Thomas, Iowa
Calderhead,	Grow,	Moody, Oreg.	Thropp,
Cannon,	Hamilton,	Morris,	Tompkins,
Capron,	Hawley,	Needham,	Tongue,
Cochrane, N. Y.	Heatwole,	Olmsted,	Van Voorhis,
Connell,	Hedge,	Otjen,	Vreeland,
Conner,	Hemenway,	Overstreet,	Wachter,
Cooper, Wis.	Henry, Conn.	Parker, N. J.	Warner,
Corliss,	Hepburn,	Payne,	Waters,
Cousins,	Hill,	Pearce, Mo.	Watson,
Cromer,	Hitt,	Pearson,	Weaver,
Crumpacker,	Hoffecker,	Phillips,	Weeks,
Curtis,	Hopkins,	Powers,	Wright,
Cushman,	Howell,	Prince,	Young,
Dahle,	Hull,	Pugh,	

NAYS—116.

Adamson,	Finley,	McAleer,	Rucker,
Allen, Ky.	Fitzgerald, N. Y.	McClellan,	Ruppert,
Atwater,	Fox,	McCulloch,	Ryan, N. Y.
Bailey, Tex.	Gaines,	McDermott,	Ryan, Pa.
Ball,	Gaston,	McLain,	Salmon,
Bankhead,	Gilbert,	McRae,	Scudder,
Barber,	Gordon,	Maddox,	Shackleford,
Bell,	Green, Pa.	May,	Shafroth,
Bellamy,	Griffith,	Meekison,	Sheppard,
Brantley,	Griggs,	Meyer, La.	Sims,
Breazeale,	Hall,	Miers, Ind.	Slayden,
Brenner,	Hay,	Moon,	Smith, Ky.
Broussard,	Henry, Tex.	Muller,	Snodgrass,
Brundidge,	Jett,	Newlands,	Spight,
Burke, Tex.	Johnston,	Norton, Ohio	Stallings,
Burleson,	Jones, Va.	Norton, S. C.	Stark,
Burnett,	King,	Otey,	Stephens, Tex.
Carmack,	Kitchin,	Pierce, Tenn.	Sulzer,
Clayton, Ala.	Kleberg,	Polk,	Swanson,
Cochran, Mo.	Kluttz,	Quarles,	Talbert,
Cooney,	Lamb,	Ransdell,	Tate,
Cooper, Tex.	Lanham,	Rhea, Ky.	Taylor, Ala.
Cusack,	Latimer,	Richardson, Ala.	Terry,
Davenport, S. W.	Lentz,	Richardson, Tenn.	Thomas, N. C.
Davis,	Lester,	Ridgely,	Vandiver,
De Armond,	Lewis,	Rordan,	Williams, J. R.
Dinsmore,	Little,	Rixey,	Williams, Miss.
Dougherty,	Livingston,	Robb,	Zenor,
Driggs,	Lloyd,	Robinson, Ind.	Ziegler,

ANSWERED "PRESENT"—3.

Glynn,	Landis,	Thayer.
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NOT VOTING—87.

Allen, Miss.	Davey,	Linney,	Small,
Bartlett,	Davidson,	Lorimer,	Smith, Wm. Alden
Benton,	Dayton,	Loudenslager,	Sparkman,
Berry,	De Graffenreid,	Lybrand,	Sprague,
Bingham,	Denny,	McCleary,	Stokes,
Boring,	Elliott,	McDowell,	Sutherland,
Boutelle, Me.	Faris,	Mercer,	Tawney,
Bradley,	Fitzgerald, Mass.	Mesick,	Taylor, Ohio
Brewer,	Fitzpatrick,	Morgan,	Turner,
Bull,	Foss,	Morrell,	Underhill,
Burton,	Foster,	Mudd,	Underwood,
Caldwell,	Gayle,	Napfen,	Wadsworth,
Campbell,	Gillett, Mass.	Neville,	Wanger,
Catchings,	Graham,	Noonan,	Weymouth,
Chanler,	Haugen,	O'Grady,	Wheeler,
Clark,	Henry, Miss.	Packer, Pa.	White,
Clayton, N. Y.	Howard,	Pearre,	Williams, W. E.
Cowherd,	Jenkins,	Reeder,	Wilson, Idaho.
Cox,	Joy,	Reeves,	Wilson, N. Y.
Crowley,	Lane,	Rhea, Va.	Wilson, S. C.
Crum,	Lassiter,	Robertson, La.	Woods,
Cummings,	Levy,	Robinson, Nebr.	

So the motion to lay the appeal on the table was agreed to.

The following additional pairs were announced:

On this vote:

Mr. DAYTON with Mr. DAVEY.

Mr. MORRELL with Mr. HOWARD.

Mr. GILLETT of Massachusetts with Mr. THAYER.

Mr. LOUDENSLAGER with Mr. NAPHEN.

Mr. PEARRE with Mr. CROWLEY.

Mr. BLUL with Mr. CALDWELL.

Mr. WEYMOUTH with Mr. BENTON.

Mr. WM. ALDEN SMITH with Mr. WILSON of New York.

Mr. HAUGEN with Mr. UNDERWOOD.

Mr. JENKINS with Mr. HENRY of Mississippi.

Mr. FARIS with Mr. DENNY.

Mr. TAWNEY with Mr. TURNER.

Mr. JOY with Mr. NORTON of Ohio.

Mr. DAVIDSON with Mr. SMALL.

For the balance of the day:

Mr. WOODS with Mr. BARTLETT.

Mr. LANE with Mr. McDOWELL.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Iowa.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendments in gross.

The SPEAKER. The gentleman from Iowa moves that the House concur in the Senate amendments in gross, and the gentleman from Iowa is recognized for one hour and the gentleman from New York [Mr. SULZER] is recognized for one hour.

Mr. HULL. Before proceeding, Mr. Speaker, with the debate on the bill, I ask unanimous consent that general leave to print be given for five days to all members of the House, their remarks to be confined to the subject embraced in the bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general leave to print on the bill be given for five days, the speeches to be confined to the discussion of the bill.

Mr. WILLIAMS of Mississippi. To that, Mr. Speaker, I object.

The SPEAKER. Objection is made by the gentleman from Mississippi.

Mr. SULZER. I trust, Mr. Speaker, there will be no objection to that request. There are many gentlemen who want to speak on the bill and can not get time.

Mr. HULL. I do not yield anything out of my time.

The SPEAKER. The right to object is absolute in any member, and the objection is not withdrawn.

Mr. HULL. Mr. Speaker, the bill as it passed the House dealt only with the Army and the pay of the Army for the next fiscal year. The Senate has taken it as a vehicle for legislation outside of these purposes and has made amendments to the Army bill proper which, if there had been an opportunity, would have been probably objected to by some of the members of the committee. But, Mr. Speaker, there is nothing on the bill, so far as the pay of the Army or the government of the Army is concerned, which will materially affect the organization of the Army and which could not be remedied at our next session of Congress. We have but two days more for legislative work, and everyone realizes the importance of getting the great appropriation bills through, and the Committee on Military Affairs, or a majority of it at least, thoroughly indorsed the proposition to pass the bill without sending it to conference. The main change in the bill, so far as organization of the Army is concerned, is with regard to the staff corps, and they are opened up to the line of the Army, so that a man who is serving in the line heretofore is eligible to an appointment in the staff. Outside of that one proposition there is nothing in the bill that need give us any concern. Many members of the House believe that it is wise to enlarge the number of persons eligible to staff positions.

Mr. HAY. What does the gentleman understand to be the age limit as to these staff appointments from the line?

Mr. HULL. There is no age limit—

Mr. HAY. That is the way I understood it.

Mr. HULL. Except as to chaplains. As to those we increased the age limit two years.

I apprehend, Mr. Speaker, there would have been no controversy over this bill in the House but for the radical amendments placed on it in the Senate affecting Cuba and the Philippine Islands. For that reason I do not desire to occupy any great amount of time in discussion unless some one desires to ask a question in regard to the Army bill proper. So far as those two amendments are concerned, there is no member of the House who has not been giving attention to every provision incorporated in the bill from the time they were introduced in the Senate down to the present time.

There is no doubt that if we had a month in place of two days they would not have been inserted in this bill. It is putting them here or having an extra session of Congress. So far as I am concerned personally, I believe the provision as to Cuba conservative and exceedingly wise. So far as the Philippine Islands are concerned, the provision is more a limitation upon the power of the President than it is an enlargement of his power.

Mr. Speaker, I reserve the balance of my time, and yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, the gentleman from Tennessee has told us that the two great provisions of this bill, which have come to it by way of amendment attached to it in the Senate, are in derogation of the principles of the American Republic and opposed to the traditions of the Democratic party. He has gone

beyond that and stated, in effect, that these were provisions destroying the whole theory of liberty in the islands and wresting from those people the degree of liberty which he says is traditional with the American character. He used language which in substance and in effect charged that the whole history and policy of the Democratic party had been opposed to securing from other people territory or land or dominion without the consent and advice and willingness of those who were thereby acquired. He spoke of it as the hereditary policy of the present Democratic party. I do not quote his language, but I do him justice in this comment. Let us see how the matter stands. Let us see what has been the traditional policy of the Democratic party.

In 1854 the Democratic party was in full power in the United States; its authority in every branch of administration was uncontested and unquestioned. At that time the Democratic President called to his aid, by a secret letter of instructions sent to them by special messenger, unrecorded in the Department of State, a secret and clandestine message directing James Buchanan, minister to England; John Y. Mason, minister to France; and Pierre Soulé, minister to Spain, to assemble at Ostend, in the Kingdom of Prussia, and decide what ought to be done in regard to Cuba. Spain at that time was at peace with the United States. In no way had she trespassed upon our rights. There was perfect peace in the island of Cuba. There were no complaints that the Cuban people were being trampled under foot. The cry of "Cuba libre" had never yet been raised in this country. These three emissaries of annexation, these three emissaries of rapine and seizure, acting under secret authority, assembled at Ostend, met afterwards at Aix-la-Chapelle, and issued a proclamation, called the Ostend manifesto. They, in the first place, proposed to offer to Spain \$100,000,000 for the island of Cuba. They did not have the money—Democratic Administrations seldom do—and the whole Democratic party and the Administration did not have that amount of money; but they proposed to get it in some way. Later on they proposed that \$120,000,000 should be given; and then this is a part of the Ostend manifesto: "Does Cuba in the possession of Spain seriously endanger our internal peace?"—not our external peace—and this question answered in the affirmative, they said:

Then by every law, human and divine, we shall be justified in wresting Cuba from Spain if we possess the power, and it is upon the very same principle that would justify an individual in tearing down the burning house of his neighbor if there was no other means of preventing the flames from destroying his own house.

That was the deliberate secret act of the Democratic Administration, and was approved two years later by the nomination of the chairman of that commission at Ostend for President of the United States upon the Democratic platform, and indorsing in effect and in substance the Ostend manifesto thereby. That is one of the traditions of the Democratic party, and another is to vote to repudiate a tradition for a political purpose.

Mr. CARMACK rose.

The SPEAKER pro tempore. Does the gentleman yield to the gentleman from Tennessee?

Mr. CARMACK. Will the gentleman permit me to interrupt him?

Mr. GROSVENOR. I would prefer to be permitted to continue my speech; but I do not want to be uncourteous.

Mr. CARMACK. Do you indorse the proposition of the Ostend manifesto?

Mr. GROSVENOR. No, I do not; but it has never been repudiated by the Democratic party.

Mr. CARMACK. It has been repudiated.

Mr. GROSVENOR. The gentleman is wholly mistaken. It had been the settled policy of his party to seize Cuba until slavery had been abolished. The gentleman from Tennessee says if you will bring in a bill like the Louisiana bill he and all his side of the House will vote for it.

Now, see how a man does when he wants to bluff somebody upon a very small organization in his own hand. If you will bring in a bill "like the Louisiana purchase," then we will have peace and harmony and all vote for it! There is a difference between the two conditions. In the case of the Louisiana purchase we had not possession of it; and the second difference between the two conditions is that one came by purchase from France by peaceful measures, and this comes by treaty from Spain at the close of war and as the result of conquest. The gentleman from Tennessee knows that on our acquisition of Florida, which we have discussed here so often and which had undergone no softening-down process, is a very different question from those now confronting us. There does seem to have been a softening process at the other end of the Capitol in this particular instance. There was in the Florida case no deliberate consideration of what also we know of the glamor of collateral or incidental questions that seems to have been looming up in the rear of the more recent step of the Democratic party, and in that particular instance regardless of anybody. Hardly knowing who the people were we had acquired in Florida, we sent an army under the direction of Mon-

roe to seize the people and take possession, and have ever since governed them according to the Constitution and laws of the United States as we applied them.

What else? Throughout the whole history of this country we have done nothing to denounce or deny the justice and legality of our acts. Take all the traditions of our country and there is not a single instance of a repudiation of that history. If this debate is to be of value, let me suggest to somebody that he tell me where we acquired a foot of territory that we have treated differently from the manner we are treating the Philippines to-day. When did we send to Alaska to inquire what the people over there wanted us to do? When we discovered the territory of Oregon, when we acquired territory at the close of the Mexican war, whenever in the whole history of our country have we taken one step that we have not taken in the case of the Philippine Islands? The whole of this is a mere appeal to a sentiment that does not exist in this country; and I want to say to our friends on the other side these appeals in the name of liberty, these appeals in the name of the consent of the governed, sounded well in the balmy days of last summer; they came with mellifluous utterance from the leader of the Democratic party, and were feebly imitated on every stump and in every newspaper by his supporters.

These songs were sung with great exultation, and while you were doing this we were looking up our traditions, representing our history, and understanding the organization of this mighty empire. We took for our candidate the man who more fully represented the very opposite of all claimed by the Democrats in the arguments in their campaign and gave him a majority for the Presidency of the United States without precedent in the history of the country, and we put such a majority against Mr. Bryan as testified to the popular view of the American people. [Applause.] That was the decision of the people, and the position of the gentleman from Tennessee was left by that great popular verdict and judgment in the graveyard of your defeat last fall. I beg you to leave your dead in undisturbed slumber.

For fear my time may be exhausted, I want to come to another matter. There seems to be mistrust that some wrong is to be done somewhere, by somebody, name and locality unknown. Now, Mr. Speaker, if there is anything wrong about this bill, about its presence here, about the support the Republican party and the Administration and the Senate are giving to these measures now pending on this bill in the House, I know nothing about it, and I do not understand that anybody complains about that. These are our principles, and we stand upon our historical traditions. There seems to be something the matter with Democratic gentlemen and with the Democracy generally with regard to this matter. Whoever heard here in the history of the American Congress the like of what I am going to read to you?

We have heard language here within the last half hour more astonishing to me than any language I have heard in this Hall during the long period which I have had the honor to be a member of Congress. I have heard in very general terms complaints made about other public men outside of this body and inside of this body, but I never before heard an organized, deliberate arraignment of the Senate of the United States or of any member of it upon this floor before. The rules of the House of Representatives, the rules of Jefferson's Manual, the rules that must be the rules of all parliamentary bodies to insure respect and consideration for the views and opinions of others, have not served to stay the tide of wrath which poured itself out of the inimitable sarcasm and bitterness of the gentleman from Missouri [Mr. DE ARMOND]. Was it justified? Is it justified? I know not; I care not. It is enough for me, Mr. Speaker, to know that great good has come of whatever acts the members of the other House have been guilty of.

I read from a speech made a few moments ago by the distinguished and able gentleman from Missouri [Mr. DE ARMOND]:

There is thrust into this Chamber now by the tyranny of the majority—

That is us; we are the fellows—

by the connivance of others who had power and did not use it, a question which can not be considered here, but which is to be settled here. In the closing hours of this session the body which could have prevented, the men who could have barred from this Chamber these great questions, for reasons of their own which I have not time to bring to light—

I wish the gentleman had time to bring it to light—

and upon which I do not care now to enter, for reasons of their own, yielding to inducements—

What inducements did the gentleman refer to? Will he tell us? sufficiently powerful to them and with them, have allowed this measure to come with these amendments to this House.

To what people did the gentleman refer? Who are the people thus corrupted by reason of inducements sufficiently powerful? Who are they? There seems to be some light thrown on that later on:

If I had the time I would be glad to discuss this infamous measure. I would be glad to discuss this infamous procedure, the infamous surrender, the infamous cowardice, the infamous trading and trafficking, the infamous surrender, the infamous disregard of everything sacred and holy and decent and honorable and glorious in these United States of America.

Who did that? Not the Republicans of the Senate. Surely not.

Not the President and his Cabinet, surely not, for we are standing upon the very platform of this resolution. Who has done this infamous act?

I commend to the tyrants here—

That is our side—

I commend to the sycophants and the traders and the traffickers elsewhere the plunder that they get.

What did they get, in the name of the Benevolent Father of all? [Laughter.] What did they get? Will my friend from Missouri make a public statement that the sycophants whom he has pointed out with sufficient accuracy, so that everybody knows who he means, will he kindly tell us what they got? What was the inducement? It goes directly to the charge and commends to them the plunder, the loot, the bribes, which they have got; and I can give to the language no other meaning.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. CAPRON. I will yield the gentleman five minutes more.

Mr. COONEY. Will the gentleman yield to me for a question?

Mr. GROSVENOR. If it is very short.

Mr. COONEY. I understand the gentleman from Missouri, to whom the gentleman from Ohio refers, is not here; but in his behalf I will ask the gentleman if he will procure him sufficient time in the consideration of this bill to answer his charge?

Mr. GROSVENOR. Oh, the gentleman has an hour on that side, and I am not making a charge. I am reading the language of the gentleman, and he will not deny the meaning. So, Mr. Speaker, I think our friends on the other side are a little bit worried that we are bringing out of chaos, with the aid possibly of some auxiliary conditions—that is a good word for it [laughter]—we are bringing out of the body of men who have been attempting to hold this Government to conditions that would be intolerable up to conditions that in my judgment meet the demands of the patriotism of the people of the United States. [Applause.] Let us see what we have done. We have driven Spain out of Cuba. Peace has been restored, whether good order has or not. A stable government has not been established and can not be during the life of this Congress; but the material interests of that people have been improved to such an extent that in my judgment the blessings of the people of the island of Cuba are constantly heaped up on the name of the American Republic. [Applause.]

What have we done in Porto Rico? There you suffered so very greatly over the sorrows of that people. You really thought there was going to be some trouble in Porto Rico. You said we were taxing them unreasonably; you talked about the Constitution and the flag; you said we were seizing upon the little 15 per cent that we placed as a tax upon their products in their own interest. What has come of that during this one brief year that has rolled over your heads and which has thrown light upon your prophetic utterance? They have had a free government; they have established legislative authority; they have met and considered the conditions; they have adjourned while the burdensome Porto Rican tariff is still in full force. By a single resolution they might have lifted the 15 per cent off of their imports and effected the repeal of the law that gave us so much trouble here a little over a year ago. They adjourned without any action in that direction, thereby writing their indorsement on the action of the Republican party, and to-day the people of Porto Rico are the happiest, the best educated, the best clothed, the best fed and with better prospects ahead of them than ever appertained to the inhabitants of any of the islands in the Caribbean Sea. [Applause on Republican side.]

Prophets of evil, pessimists, and croakers join technical lawyers and disappointed politicians grumbling and growling over the sad fate that has indicated the estimate the American people place upon them over the situation in Porto Rico, and the outcry went from ocean to ocean that the poor people of that island had been downtrodden under foot by the Republican Administration. Sage men rushed into print to prate about the consent of the governed, and the doctrine of *ex proprio vigore* was rolled as a sweet morsel upon the tongues of men, all drifting toward a Presidential election in 1900. Men who ought to have taken a different stand threw little barbed arrows of sarcasm and doubt upon the legality of the Porto Rican legislation, and have spoken of the people down there as under the oppressive force of our tyranny.

Now, Mr. Speaker, looking at the map of the world and its history combined, I challenge any living man to show where a people transformed and transferred by a treaty, whether made in pursuance of conquest of war or purchase or annexation or what not, has ever under any circumstances been treated with the liberality and generosity that have the people of the island of Porto Rico; and they feel it and they know it, and the genius of American institutions extended to them by the hands of William McKinley, the Republican President of the United States, backed up by the sincere Republicans of this House and of the Senate and supported by the great moral influence of the intelligent people

of the United States, has done all this and set an example to all the world of what the American Republic can do under conditions like these. Where stands the pessimist to-day? Where stands the croaker? Where stands the man who predicted all sorts of evil? Wrapped up in the mantle of their own self-estimate, refuted by the facts and figures of the beautiful demonstration in Porto Rico.

Mr. CARMACK. Will the gentleman yield to me?

Mr. GROSVENOR. My time is very short.

Mr. CARMACK. I only want to ask a question. Suppose the people of Cuba should refuse to submit to these limitations on their independence provided in the Spooner amendment. What is this Government to do?

Mr. GROSVENOR. We have thus far, Mr. Speaker, been able to cross the bridges when we came to them, without the aid of gentlemen on the other side.

Mr. CARMACK. You are at the bridge now.

Mr. GROSVENOR. There is no time to talk about what we will do if—

Mr. CARMACK. That is because you will not give us time.

Mr. GROSVENOR. "Sufficient unto the day is the evil thereof." The question is, What shall we do to-day? To-day we put forth the ultimatum to the people of Cuba, not one branch of which will be held by the American people, by civilized people of the world, or, in my judgment, by the people of Cuba to be onerous or unjust to them.

Mr. CARMACK. The gentleman says "an ultimatum."

Mr. GROSVENOR. Yes; I used the word "ultimatum" with absolute accuracy of understanding and meaning. The people of this country understand what it is. The people of this country will be proud of the party that will uphold the dignity and authority of the American people in the island of Cuba until the conditions are reached which will justify us, in the light of our pledges and in the light of the deliberate judgment of mankind, to withdraw our military operations and occupation and turn over to the people of Cuba their own island to their own government.

I used the word "ultimatum" as referring to the present. It is the ultimatum of the American people to-day. It is what we are willing to adjourn with having enacted. We are willing to turn over the question now to the action of the people of Cuba, and the future will take care of itself. No act of injustice has been done to the people of Cuba; no act of wrong or seizure of their rights; no intervention as against the best interests of Cuba, and everybody in the world knows it. We have fortified their harbors, we have subjected and eliminated their most fatal disease, we have put in motion the wheels of commerce, we have stimulated enterprise, we have suppressed insurrection, we have eradicated the evil conditions that have existed in that island for so long, and the success that we have had has been wonderful in view of the fact that we have a party in this country willing to block the wheels and impede the onward progress of the country.

Mr. CARMACK. Will the gentleman permit me?

Mr. GROSVENOR. Now, about the Filipinos.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. GROSVENOR. I will leave the Filipino question to somebody else. [Laughter.]

Mr. HULL. Mr. Speaker, I now yield five minutes to the gentleman from Michigan [Mr. CORLISS].

Mr. CORLISS. Mr. Speaker, I fully appreciate the importance of these amendments and would not trespass upon the time of the House if I were in full accord with the spirit and letter of both amendments. I am in hearty accord with the amendment with reference to the Philippine Islands, because it assures to the people of those islands the rights, protection, and liberty that always go with the American flag. We can safely trust the President with the government of these islands until they have become entirely pacified and their people taught to recognize and appreciate the blessings of American sovereignty.

I am constrained to vote for the amendment with reference to the island of Cuba, because I believe that the adoption thereof will insure the continuance of our sovereignty. I am unalterably opposed to the surrender of the sovereignty of the United States over the island of Cuba. We intervened in the cause of humanity, and humanity, in my judgment, demands the maintenance of our flag in order to insure to the people of Cuba future peace, prosperity, and happiness. Their future depends upon our action. Remove from the island of Cuba the protection of the Stars and Stripes, and riots, civil strife, and revolution will follow. General Gomez expressed the dangers in store for the Cuban people when he declared that in the present condition of the island, should our flag be removed, he would go with it.

I hold in my hand public resolution No. 21 (Teller resolution), in which we declared that the people of Cuba are, and by right ought to be, free and independent. I voted for that resolution, and intended thereby to extend to them the same liberty, freedom, and independence enjoyed by the citizens of our own territory.

What greater liberty and independence can be obtained than that enjoyed under the protection of our flag? All fair-minded men, familiar with the conditions of Cuba, recognize their inability to maintain peace and independence without the protection of our country. We should guard and protect not only the people of Cuba but our own citizens and their interests on the island. I hope and expect that the adoption of the present amendment may continue our sovereignty and induce the people of Cuba to voluntarily ask for the annexation of Cuba, and thereby extend the blessings of humanity for which our country intervened.

I do not forget the humiliation of the American people when a Democratic President hauled down our flag in the islands of Hawaii. Our citizens universally condemned that act, and I rejoice that with the cooperation of the people of those islands our flag has again been raised and our sovereignty perpetually established for the future glory of the Pacific. I would not again humiliate our people, endanger the peace and happiness of the Cubans, disturb our peaceful relations, or render it possible for a second intervention, which would certainly be necessary to insure peace, happiness, and prosperity to the people of Cuba with the removal of our flag.

Mr. HULL. I suggest now that my friends on the other side use a part of their time.

Mr. SULZER. I yield to the gentleman from Illinois [Mr. James R. Williams].

Mr. JAMES R. WILLIAMS. Mr. Speaker, if the distinguished gentleman from Ohio [Mr. Grosvenor] would consume as much time in defending Republicans who need defense as he wastes on Democrats, his remarks would be far more interesting and he would come more nearly earning his salary as a member of this House. [Applause on the Democratic side.] He seldom takes the floor that he does not have something to say as to what Jefferson did. Now, if he would only devote a little of his time to defending the great national boss of his own party, who seems to have control of this Administration, or the worst part of it, at least, his remarks would receive the greatest attention.

No one regrets more than myself that this very dangerous proposition for the government of the Philippines should come before this House in the closing hours of its session and at a time when it is impossible for it to receive that consideration which its importance demands. And I can not accept the apology for its being sent here at this late hour, that the President is already exercising in the Philippines the power granted in the proposed amendment. I deny it. The power now used by the President in the Philippines is executive and military power, while the power given him by this amendment is legislative and judicial power. Here is the language of the amendment:

All military, civil, and judicial powers necessary to govern the Philippine Islands acquired from Spain by the treaties concluded at Paris on the 10th day of December, 1898, and at Washington on the 7th day of November, 1900, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion.

By this amendment the President is given absolute power in the Philippines; not only executive, but legislative and judicial as well. This is one-man power, pure and simple. The President is made the complete master of the Filipinos unrestrained by Congress, the Constitution, or anything else. This is imperialism run mad. The Constitution provides that all legislative power under our Government shall be vested in Congress. Then what right have we to turn this power over to the President?

But then we are no longer proceeding under the Constitution. Every gentleman on the other side who has attempted to defend the despotism in this amendment has cited as a precedent for this action the law under which Jefferson governed the Louisiana Territory. In order that the repeated misrepresentations of these gentlemen may be understood by the House and the country I here give the law under which Jefferson then acted, and so often referred to by members on the other side of the Chamber.

Until the expiration of the present session of Congress, unless provision for the temporary government of the said Territories be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property, and religion.

You will observe that this law was intended for temporary government only, and by its own terms was to expire with that session of Congress. You will further notice that the officers appointed by Jefferson were to exercise the same powers as was then being exercised by the officers of the existing (French) government in the territory; while under the pending amendment Mr. McKinley's appointees are authorized to enact new laws and establish a new government, and not to merely carry on the one already existing.

Besides, the treaty under Jefferson provided the inhabitants of the new territory should be citizens of the United States, and Jefferson governed them as citizens and in accordance with the

Constitution, while McKinley is authorized to govern the Filipinos as subjects and in violation of the Constitution. The legislative council under Jefferson were required to be inhabitants of the territory and could pass no law in violation of the Constitution of the United States, while under this amendment for the Philippines the legislative assembly are not required to be inhabitants of the island and are not bound by the Constitution. In fact an amendment offered in the Senate requiring these new officers to take an oath to support the Constitution was voted down by the Republicans, Senator Hoar being the only Republican who supported it. Mr. Speaker, it seems to me no just President could desire such despotic power over any people, and the man who would seek it is a dangerous person to be intrusted with it.

Think what a wretched and helpless condition you place those Filipinos in when you authorize the President to establish over them, without restraint, a carpet-bag government, composed, in part, at least, of Neelys and other plunderers who will go there to enrich themselves and rob the people whom they are sent to govern. It will not only result in corruption there as in Cuba, but will breed corruption at home also.

No, Mr. Speaker, Mr. Jefferson never attempted to exercise any such despotism as this. What king wields a greater power over his subjects than that given to the President by this amendment? How fast is the President of the United States becoming the Government of the United States. What member of this House would rise in his place and say that the President of the United States does not to-day control both branches of Congress on all important political legislation?

By the shrewd use of his great patronage he is able to influence not only his own party in both branches of Congress, but often a good per cent of his opponents, and so successful has been the present Executive in his assumed legislative functions that it is now intimated that he is even venturing upon the Supreme Court of the United States. Surely the time has come when the people should take warning at this increasing power of the President.

I care not how able or honest he may be, no one man is safe to intrust with all the rights and liberties of a people. As I said on a former occasion, I am opposed to retaining the Philippines under any form of government, but so long as we do attempt to control them we should endeavor to govern them in accordance with our Constitution and form of government. I repeat that no one man is good enough to govern another just as he pleases and without any restraint whatever; and yet this is just what the President is authorized to do by this amendment.

Is it possible that Congress can have so little regard for its own acts as to pass a measure of this importance without any consideration either in committee or by the House? If so, it only shows what a revolution is going on in our form of government, and apparently with the approval of the people. Indeed this is the day of imperialism in America, but I hope late in the evening. I trust the morning of liberty will again soon dawn upon the American people, and they will return to the ways of the Constitution our fathers gave us.

A few words only with reference to the Cuban amendment, which attempts to give the United States control over the domestic as well as the foreign affairs of the island. If we adopt this amendment we openly violate our sacred pledge to Cuba, in which we declared the Cubans were, and of right ought to be, free; that we were intervening for the independence of Cuba, and would withdraw from the island whenever peace was established. If we pass this amendment against Cuba we advertise to the rest of the world what supreme hypocrites are in control at Washington. I would rejoice to see Cuba peacefully annexed to the United States, but I am not willing to steal it.

If this Administration had treated Porto Rico with that justice and fairness to which she was entitled, Cuba to-day would have been standing with outstretched hands appealing to the United States for annexation. But is it strange that our cruel and selfish treatment of Porto Rico should cause Cuba to look with some suspicion upon our pretended friendship? The gentleman from Ohio [Mr. Grosvenor] said at one time some Democratic Administration had attempted to buy Cuba. If he is correct in that statement it only shows the difference between that Democratic Administration and the present one is the Democrats attempted to buy Cuba while the Republicans are attempting to steal it. [Applause on the Democratic side.]

I believe the parties in control of this Administration are just as anxious for the good things in Cuba as in the Philippines, and every effort will be made to provoke Cuba into war in order that the Administration may have an excuse to take possession of the island for these greedy beneficiaries.

Mr. Speaker, before concluding my remarks I wish to submit a few observations on the subject of appropriations. This bill now under consideration appropriates for the Army for the next fiscal year \$115,735,644.10, while the amount appropriated for our Army for the fiscal year ending June 30, 1898, was only \$23,129,844.30.

This is the swift and bitter fruit of imperialism. It costs the

people five times as much to maintain our army now as it did three years ago. At this rate it will cost a county of 25,000 people about \$40,000 per year to help maintain our standing army. And all this increase not for the benefit of the taxpayers, but to enrich those greedy speculators who want to hold on to those foreign islands. And this new policy of imperialism has greatly increased our expenses in other directions.

The appropriations for the Navy this year are over \$78,000,000, an increase of forty-five millions over 1898. The total appropriations for the next fiscal year just completed by this Congress are over \$729,000,000, which does not include anything for rivers and harbors or public buildings, while the total appropriations for 1898 were less than five hundred and twenty-nine millions. That is, it will cost the people over \$200,000,000 more to run the Government next year than it did in 1898.

To conduct this Government with its present extravagance one year costs every man, woman, and child about \$10 apiece, or a family of five \$50, or a county of 25,000 \$250,000. If the people quietly submit to this increasing extravagance in the use of public money it will not be long until every laboring man must pay one-half his earnings to maintain a large standing army and navy and other increasing expenses of the Government.

How can the people hope for any substantial reduction in taxes unless they call a halt on Congress in these extravagant expenditures? This rapid increase in the expenses of our Government is due almost entirely to this new policy of foreign conquest and imperialism. And in order that the President may have plenty of money to spend away from home on these vicious schemes, the people at home are deprived of the necessary public funds to repair their rivers and harbors, erect public buildings, and for other purposes. In fact, the old soldier, who fought for liberty and Union, is often denied his just pension in order that the money may be used on a large standing army to carry on a war of conquest in a foreign land.

It is to be hoped that our people will soon grow tired of wasting so much blood and treasure in foreign islands in which they have no interest and from which no good to them can ever come. Why not spend our lives and our money in trying to make our own people prosperous and happy, instead of wasting them on foreign races? Why should not America be satisfied with America, where, with good government and proper conditions, every citizen may become prosperous and happy under his own vine and fig tree? [Applause on the Democratic side.]

Mr. SULZER. I yield to the gentleman from Tennessee [Mr. PIERCE.]

[Mr. PIERCE of Tennessee addressed the House. See Appendix.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SULZER. I yield one minute to the gentleman from Tennessee [Mr. COX].

Mr. COX. Mr. Speaker, I have no disposition, if I was able physically to do it, to make a speech. The speaking ought to take place at the other end of the Capitol. I think they ought to have spoken there until December had rolled around again before this thing should have ever been passed. Just one suggestion. I have voted from the commencement of this Philippine question against what is going on. I voted against the war, without saying to those people what you were shooting them for and giving them an opportunity to adopt for themselves a government.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COX. Let me complete this sentence.

Mr. SULZER. I will yield to the gentleman for a moment.

Mr. COX. You have got in this legislation a declaration that the United States owns territory where the Constitution can not extend. You have got in this legislation another proposition, and that is that the power of one man can take the life of a man or he can take his liberty from him without trial by jury. You have got another thing. Against every rule of policy, against the genius of our Government, and against every true principle that has ever been taught of respect and honor for the law of legislation, you insert it at the end of an appropriation bill.

Mr. SULZER. I yield one minute to the gentleman from New Jersey.

[Mr. McDERMOTT addressed the House. See Appendix.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McDERMOTT. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD.

Mr. HULL. In connection with that, I ask that all others who speak on this bill, at least, shall have the same privilege for a period of five days.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that all gentlemen speaking on this bill may have leave to extend their remarks in the RECORD for five days. Is there objection?

Mr. MAHON. If they are confined to the bill, I will not object. The SPEAKER pro tempore. With the condition requiring them to be confined to the bill. Is there objection? The Chair hears none, and it is so ordered.

Mr. SULZER. In connection with what the gentleman from Iowa has said, there are a number of gentlemen on this side of the House who have asked me to make the request for unanimous consent for general leave to print on this bill for five days. I trust there will be no objection to that.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that there be general leave to print on this bill for five days.

Mr. WILLIAMS of Mississippi. I object.

Mr. SULZER. I yield two minutes to the gentleman from Florida [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, in the name of the American people—in the name of consistency and justice and truth—I want to protest against the resolutions in reference to Cuba inserted by the Senate as an amendment to this Army bill, and which we are called upon now to concur in. I protest against them because they violate our expressed promise, and because they are inconsistent with our national honor. Before we went to war with Spain, and as a preliminary thereto, we openly, frankly, and plainly declared our purpose. That purpose we fully and unequivocally stated in the following solemn resolution:

[PUBLIC RESOLUTION—No. 2.]

Joint resolution for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Whereas the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Habana, and can no longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore

Resolved, etc., First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States, the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

Approved April 20, 1898.

No one will contend that there is any ambiguity in the language of this declaration. No one will undertake to point out a single word of doubtful meaning. When we said "that the people of the island of Cuba are, and of right ought to be, free and independent," we but quoted from our own blessed Declaration of Independence the words that have thrilled the hearts of freemen for more than a hundred years.

The fathers who framed that immortal Declaration said "that these United Colonies are, and of right ought to be, free and independent States." And so when Congress, on the 20th of April, 1898, wanted to express the full and complete idea in reference to Cuba's struggle to rid herself of the galling yoke of Spanish tyranny, we employed the words so well known and so dear to every American heart. Following these resolutions, and to carry out the spirit and purpose there set forth, we declared war against Spain. Columbia's sons from North and South and East and West rallied to arms in the cause of liberty.

Our victories were speedy, startling, and complete. Castile was vanquished and Cuba was "free"—so we proclaimed. Before taking up arms we solemnly declared "that the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people."

An archipelago in the Orient and islands in the Atlantic were ceded to us in the treaty of peace, but not Cuba. Spain agreed to quit that island, as we had demanded she should, and we made no pretense of right to occupy it with our Army except for the "pacification" of its people and to see that "a stable government" was formed. More than two years have passed since then, and during all the weeks and months that have intervened the Cuban people have been submissive and peaceful.

No riotous disposition has been manifested and no disturbances

have occurred. So soon as we gave them opportunity, their delegates assembled in peaceful convention to frame their organic law. That instrument is now, I believe, here in Washington. It ought to be submitted to Congress before we adjourn.

We know that it provides for a republic and contains all the essentials of a government by and for the people. But though that constitution is now probably in the hands of the Administration it will not be submitted to us, and now in the closing days of this Congress, while we are rushing through this Army bill, the managers for the dominant party offer, as a rider upon the bill, the resolutions against which I am protesting. They are engrafted upon it as it comes back to us from the Senate. That they will be accepted in this House no one who is familiar with the spirit of the times can for a moment doubt. Here they are, and in the name of justice, I protest against them:

That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise lodgment in or control over any portion of said island.

II.

That said government shall not assume or contract any public debt to pay the interest upon which and to make reasonable sinking-fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V.

That the government of Cuba will execute, and as far as necessary extend, the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points to be agreed upon with the President of the United States.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

Mr. Speaker, we are complacently told by gentlemen who favor these resolutions that they are exceedingly mild and are merely "suggestive" to the Cuban people of a few things we have the right to expect from them. Let us see. We are about to say to them that they will not be permitted to make treaties with other countries which will impair or tend to impair their independence, and we are to be the judges of the tendency of all proposed treaties.

We are about to say to them that they can not go into debt beyond such limit as we may regard as safe for them. We are about to prescribe a restriction for them which the Federal Government has never yet undertaken to prescribe for any one of the States of the American Union. Let me read again:

That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking-fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

We are about to say to them that their health laws must be made to suit us before we will remove our soldiers from their midst. And yet here at home we regard the right to make laws for the preservation of the public health as one of the reserved rights of the States. We would not think of sending an armed force into one of the States of this Union because, forsooth, its health laws or its sanitary condition might not be up to an approved standard. "That is all true," said a gentleman in discussing this matter with me the other day, "but circumstances alter cases; it is different, you know, when it comes to Cuba."

Mr. Speaker, it is not different "when it comes to Cuba." Principle should control us, and not expediency. We should give the

people of that devoted but hapless isle at least a fair opportunity to voluntarily and gracefully show their gratitude to us. I believe the true and real Cuban is grateful to us. I doubt much whether that class of so-called "business men" on the island who sympathized with Spain during the Cuban war and who sympathize with Spain to this good day are grateful to us.

I doubt whether the money-making classes of Habana and Santiago—those gentlemen who meet at city clubs to discuss political ethics and who offer us much voluntary advice with many insinuating suggestions to the effect that the native Cuban is not capacitated for self-government—I doubt, I say, whether we should give much heed to them. They are not the class for whom we struck the blow at Spain; they are not the patriots we had in mind when we declared war; they care nothing for liberty; they care alone for the almighty dollar.

"The people of the island of Cuba are, and of right ought to be, free and independent." We have said it, and let us stand to it. Let us not be persuaded by the advice of those who now argue that we ought never to have made these promises. Let us be just, as we have been generous; as noble as we are brave. Addressing this House the other day on the subject of our treaty obligations, I said what I now wish to repeat in this connection.

Are obligations resting upon the people in their collective capacity as binding as when entered into by the individual? For one, I believe they are. For one, I am anxious to see my country as prompt and scrupulous in keeping its obligations as I should expect an honest man to be in keeping his.

There on the wall of this Chamber, standing side by side with Washington, is the portrait of Lafayette. Facing the Executive Mansion in this city is a bronze statue of this illustrious friend of our Republic, and I feel like raising my hat whenever I pass it. He came to aid our struggling colonies in the darkening days of the American Revolution, when hope had almost ceased to lighten the pathway of our patriotic fathers. By his aid and the aid of his countrymen defeat was turned into victory and our independence was established. I point to his example and to the example of his country.

France did not assume, because she had been our benefactor, to become our dictator, nor did she presume to prescribe conditions upon which she would recall her soldiers from our soil. I commend now that shining example to this House, to the Executive of this Government, and to my countrymen. If Cuba, by reason of turbulence or bad sanitary laws or improper treaties, shall ever hereafter menace this country, we can deal with her in some proper and timely way. Let us at least wait for some such justification.

Mr. SULZER. I now yield to the gentleman from Florida [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I am not vain enough to suppose for a moment that anything I can say will have any influence whatever upon the vote we are soon to take upon the pending measure. Indeed, if that were the only consideration I should not trespass upon the time of the House at all, but representing on this floor, as I do, a district, and in part a State, which extends nearer to the island of Cuba than any other, whose people are more deeply interested in the relations which we are to sustain to that island and to the Cuban people than those of any other section of the country, I feel that I would be derelict in my duty should I not enter my feeble protest against the action we are to take here to-day.

We are about to perpetrate, in my judgment, a great wrong, not only upon the Cubans but upon our own people as well. We are about to cast a blot and a stain upon our fair name and do a wrong to civilization which all the centuries will not wipe out or efface.

A little less than three years ago, beneath the Dome of this Capitol, and on a memorable occasion, we solemnly declared that Cuba ought to be free and independent. We were then about to engage in a war with Spain, ostensibly for the benefit of the Cubans. They had not asked us to take this action or to intervene in their behalf at the risk of war. Indeed, through their leaders they had made it known to the President and the members of Congress here that they did not desire us to assist them in that way. They did wish the powerful influence of the United States in their behalf. They desired only, however, that we should recognize their belligerent rights.

For two years war bloody and cruel had been going on between Spain and the Cubans, the latter fighting for freedom, the former that she might hold her sway over an unwilling people. This struggle has attracted the attention of the entire civilized world. In this country the sympathies of the people went out to those struggling patriots, and the demand came from every village and hamlet, from every section, North, South, East, and West, that Cuba should be free. To these sentiments the Administration for a time turned a deaf ear; it was not even willing to accord to the Cubans the only recognition they had ever asked—that of belligerent rights.

They asked no more than this because they considered themselves capable, if belligerent rights were accorded them, of coping with the Spaniards in this war for liberty. But that was not all. They had other reasons for not desiring such a war. They were afraid of the result to them of a war between this country and Spain. They knew full well that war meant the occupation of Cuba by us, and the fear was natural that even this Government, though founded upon the principles of liberty, might not be able to resist the temptation to remain once the Stars and Stripes should float over the island. Examples such as this were not wanting in history. Other nations during the centuries that have gone had undertaken to do similar acts of benevolence and had not been able to resist the temptation, and why, thought the Cubans, should not this Government be liable to the same temptation.

Finally the President concluded that war, ostensibly at least, for the liberation of Cuba should be waged, and on the 11th day of April, 1898, sent a message to Congress, breathing the very spirit of freedom and philanthropy as well as of defiance to the power of Spain, practically recommending a declaration of war.

Meanwhile the American people began to doubt and fear the motives, not perhaps of the President, but those who surrounded and advised him, and the demand was made that if war were declared some guaranty of good faith on our part should be given. In obedience to this sentiment the instrument by which war was declared proclaimed that the people of the island of Cuba were and of a right ought to be free and independent.

But that was not all this remarkable document, which will ever live in history as the grandest triumph of our Christian civilization or the blackest exhibition of national perfidy the world has ever seen, contained; for it further declared that the United States had no disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserted the determination of the American Government that when this should have been accomplished to leave the government and control of the island of Cuba to its people.

Upon this declaration we unsheathed the sword, broke the Spanish power almost in a day, and liberated the Cubans from the Spanish yoke.

But how have we kept faith with them? For nearly three years the Spaniard has been gone, the island has been absolutely quiet, and peace has reigned from one end of the island to the other. The Cubans have been ready to establish a stable government, and have been capable of so doing. Yet our Army is still there. The island is still under military control, while we come now with the proposition to hold on to Cuba forever. True, the resolution makes no such claim. Oh, no! It is too artfully drawn for that. Why, it actually starts out with the statement "that in fulfillment of the declaration contained in the resolution approved April 20, 1898, entitled 'For the recognition of the independence of the people of Cuba,' etc., the President is hereby authorized to leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes, or otherwise, lodgment in or control over any portion of said island.

II.

That said government shall not assume or contract any public debt to pay the interest upon which and to make reasonable sinking fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V.

That the government of Cuba will execute, and as far as necessary extend, the plans already devised or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the govern-

ment of Cuba will sell or lease to the United States lands necessary for coal-ing or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

Now, these provisions are in absolute violation of the compact under which we undertook to aid the Cubans. We agreed that we had no intention to exercise sovereignty, jurisdiction, or control over the island except for its pacification, and asserted our determination when that had been accomplished to leave the government and control of the island to its people; while our proposition now is to create a condition of things by which we are to hold on to the island indefinitely. The proposition to leave the island to the control of the Cubans is absolutely inconsistent with that to restrict the power of the Cuban government in the matter of contracting debts, with the right to "intervene for the preservation of Cuban independence," with that restricting the right of immigration to the island, as also with that reserving to the United States coaling stations on the island.

Why, Mr. Speaker, what nation can be free with all these restrictions upon its freedom of action? No Commonwealth in this Union of indissoluble States but has more freedom of action than Cuba will have under the plan for her control by the United States as embodied in these eight provisions. What State but has the power, so far as the Constitution and laws of the United States are concerned, to contract debts to any amount, even to the verge of bankruptcy if it so desires?

Into what State is immigration restricted? Why, sir, no State in the Union but that throws open wide its doors to immigrants from all civilized lands. It is by that means largely that this country has grown great and strong. Yet we say to the Cubans that colonization, which means immigration, shall not be allowed into that country. Of course, this right of emigrating to Cuba from the United States is not denied, for it is no doubt the intention, as well as the hope, that Cuba shall be colonized from our own country; but the emigrant from every other nation is debarred from the island and the Cuban government can not invite them without the risk of rendering such action obnoxious to the provisions just cited, and of incurring our displeasure, for we are to be the judges at all times as to whether any given act is an infringement of this or any other provision in the proposed amendments. And thus the sword of Damocles is to be forever suspended over the Cuban people and their government.

Now, Mr. Speaker, all this is rank injustice and ought not to be done by a great and magnanimous nation to a weaker one, and of whose people when we thrust ourselves between them and those who would coerce them we declared were, and of a right ought to be, free and independent. Yet we should have some concessions, I grant you, but these should be sought along the line of proper trade relations.

Now, what are the reasons assigned for this continued control of Cuba, in violation of our solemn pledge?

First it is said that in some way we have obligations growing out of the treaty of Paris which necessitate a constant and perpetual supervision of Cuban affairs, but I undertake to say that we owe no such duty. What was this undertaking? It is to be found in Article I of that treaty, and is as follows:

Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

Thus we are to assume and discharge the obligations that may under international law result from the fact of our occupation of Cuba for the protection of life and property. But how long was the occupancy to last? Only until the island should be pacified; and I assert that it has been in that condition for more than two years. No people have ever been less turbulent; no country more peaceable. Hence the occupancy should end, and with it our obligations under the Paris treaty.

Again, it is said that the Cubans are not capable of self-government, but this, too, is a mistake. The Cubans, or those of them belonging to the white race, are the descendants of a proud and once powerful people who for more than a century dominated the globe. They have fallen into adversity, it is true, and have lost their political prestige, but they have retained their intellectual power and self-respect. The Cuban census, taken under the auspices of the War Department of the American Government, shows that the native whites constitute 58 per cent of the total population and the foreign whites 9 per cent, making a total of 67 per cent in all belonging to the white race, while of the entire population above the age of 10 years three-fourths can read and write.

Can we boast of a degree of education and literary advancement much higher than that? I think not, at least in many sections of the country. So, too, in the matter of industrial pursuits they will compare favorably with the people in our own country. In the United States 58 per cent of the population are at work or engaged

in occupations for gain. In Cuba 68 per cent are similarly employed, and thus again the comparison between the Cuban people and our own is in favor of the former. We have, Mr. Speaker, anarchists and turbulent spirits everywhere, but they are not found among the laboring classes or breadwinners in any country.

Certainly such people are capable of self-government, and as a matter of fact they have shown themselves to be thus capable. In June of last year municipal elections were held everywhere throughout the island. These elections were peaceable and attended without a single disturbance, although the United States soldiers were not present, so it is said.

And what of the constitution they have prepared? It provides for a republican form of government, founded upon the true principles of liberty, and is modeled after our own Government. If left to themselves, their government will be what it should be—a government of the Cubans, by the Cubans, and for the Cubans. I have not seen the constitution, it is true, for we are called upon to act before that instrument has been submitted to this country; but if newspaper reports are to be believed the constitution recently framed by the Cuban convention leaves little to be desired in addition to the work already done by that convention.

Now, Mr. Speaker, there are those, and they constitute a respectable minority, who claim to believe that we should create a protectorate or suzerainty over that island, and the amendments to the Army bill which we are now discussing are designed to bring about that condition. But, sir, this, too, is unnecessary, for the Monroe doctrine, established three-quarters of a century ago and recognized and acquiesced in by all the great powers of the earth, affords sufficient protection to Cuba and her republican form of government. In the face of that doctrine no foreign nation could interfere with Cuba so as to change her form of government or to take permanent possession of the island.

Indeed, Mr. Speaker, each of the amendments is in violation of our pledges contained in the declaration of war between this country and Spain. They furnish such a violation of a solemn compact as would not be tolerated in the case of any individual, and the same moral code by which individuals are to be governed should likewise govern that aggregation of individuals called the United States.

Now, I know that our Republican friends claim that in all this there is no intention to annex Cuba to the United States; but, sir, the tendency is in that direction, and while it may not take place this year or next, or even for a decade, the danger is imminent. Should it come, and free trade exist between this country and that island, the American people, as I have shown on other occasions, will receive no benefit from such a condition. Cuba can and will in that event supply this country with all the smoking tobacco, cigars, and sugar our people can consume, and thus destroy these industries in every State in the Union where they exist. My own State would be one of the chief sufferers, but she would not suffer alone, for perhaps 30 others would sustain irreparable injury, so far as some of these industries are concerned.

Mr. Speaker, I shall not enter into any exhaustive argument as to our power under the Constitution to do what we are trying to do by these amendments to the appropriation bill, but I believe the whole principle contended for by the leaders on the other side is outside of the Constitution of the United States. I can find no warrant whatever therein for the creation of a condition of things such as these amendments, even if accepted by the Cubans, will create. The Constitution does not provide for the establishment by this country of a protectorate or a suzerainty over any other country. I can find in the Constitution no warrant for the owning or controlling by this Government of foreign lands or countries except for the purpose of eventually bringing them into the Union as States. Indeed, such a condition is not consonant with our theory of government, which is founded upon the idea that all just powers of government must come from the consent of the governed.

Mr. Speaker, we have done many things during the past two and one-half years that we ought not to have done, many things which have caused a dangerous and unnecessary strain upon our form of government and upon our institutions. From these and their resultant conditions we may not now be able to turn away; but we yet have time to retrace our steps and to do justice to the Cubans and incidentally to ourselves. Of us much is expected. To us have been given more than ten talents. Let us, therefore, improve them in the interest of freedom and humanity. The opportunities for good, such as have not in all the years of the past come to any other nation or people, have come to us in our present relations with the Cuban people; opportunities which, if improved, as they may be improved, will shed luster upon our national life, both past and future.

Let us, then, keep faith with our neighbors across the Gulf, and in our treatment of them erect one more monument to liberty and civilization among those already builded by us along our national pathway during the century which has just taken its place among the ages which are gone.

Mr. SULZER. I yield two minutes to the gentleman from Virginia [Mr. JONES].

Mr. JONES of Virginia. Mr. Speaker, the Senate has ingrafted upon this bill—a measure appropriating the enormous sum of \$120,000,000 for the support of our military establishment—two amendments embodying propositions so obnoxious to my sense of justice and fair dealing, and so utterly at variance with my conception of the powers vested by the Constitution in Congress, and the views which I entertain as to the policy which the United States should pursue toward the inhabitants of Cuba and the Philippine Islands, that I desire to enter my earnest protest against their adoption.

But, before I enter upon the discussion of this most important subject, let me call attention to a statement just made by the gentleman from Ohio [Mr. GROSVENOR]. That gentleman made an assertion which I can not permit to go unchallenged. In concluding his remarks upon the resolution now before the House he declared that when the Porto Rican act was under consideration here the Democrats denounced in unmeasured terms the provision which imposed tariff duties on all merchandise coming into the United States from Porto Rico and coming into Porto Rico from the United States, but that so well pleased were the people of Porto Rico with this tariff tax of 15 per cent of the duties imposed by the Dingley act that their legislative assembly, although it was perfectly competent for it to do so by the passage of a simple resolution, had adjourned without removing this customs duty. In other words, that the people of Porto Rico had, after an experience of nearly two years in paying this, as I believe, unconstitutional tax, deliberately, and of their own free choice, elected to continue paying it.

Mr. Speaker, there was never a more misleading and unfounded statement made upon this floor. The act of Congress of April 12, 1900, entitled "An act to provide revenues and a civil government for Porto Rico, and for other purposes," contains these words:

Whenever the legislative assembly of Porto Rico shall have enacted and put into operation a system of local taxation to meet the necessities of the government of Porto Rico, by this act established, and shall by resolution duly passed so notify the President, he shall make proclamation thereof, and thereupon all tariff duties on merchandise and articles going into Porto Rico from the United States or coming into the United States from Porto Rico shall cease, and from and after such date all such merchandise and articles shall be entered at the several ports of entry free of duty.

This is the provision, and the only provision, of the Porto Rican act to which the gentleman from Ohio could have referred as enabling the legislature of Porto Rico to rid the people of that island of this tariff tax. By it the legislative assembly of Porto Rico is empowered "to enact and put into operation a system of local taxation to meet the necessities of the government of Porto Rico," and that has been done. I hold in my hand an act passed by the legislative assembly of Porto Rico at its recent session, approved by Governor Charles H. Allen on the 31st day of January last, entitled "An act to provide revenue for the people of Porto Rico, and for other purposes." It covers 33 closely printed pages, and provides a complete system of taxation for the people of Porto Rico, and the President of the United States has been duly notified thereof, as is required in the act from which I have quoted. So it seems that instead of being well satisfied to pay this unjust, discriminating, and, as I believe, unconstitutional tax, the Cuban people have done all in their power to rid themselves of it forever, and their action is a complete and absolute refutation of the unwarranted statement made by the gentleman from Ohio.

Mr. Speaker, more than two years have elapsed since the establishment of peace between the United States and Spain. The pacification of the island of Cuba has been accomplished, and its people have called a convention and framed for themselves a constitution. By an act of Congress approved by President McKinley on the 20th day of April, 1898, it was declared:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

There can be no mistaking the language of these resolutions. They were carefully drawn and clearly worded. They were written to be read of all men. They declare, in language dear to every citizen of this American Republic, that the people of Cuba "are, and of right ought to be, free and independent." We not only declared to Spain that the people of Cuba, then struggling to free

themselves from Spanish tyranny, were free and independent, but we proclaimed to the wide world that they were, and that they were entitled to enjoy their freedom and independence. We went even further. We disclaimed both the disposition and the intention to exercise sovereignty, jurisdiction, or control over the islands save only for the purpose of pacification.

When law and order were established our troops were to be withdrawn and the island left to the control of its people. How have these pledges been redeemed? Thus far, what single step has been taken in the direction of their redemption? Is it seriously maintained that the fulfillment of this solemn pledge is to be found in the Platt amendment, placed by the Senate upon the Army bill, and placed there in violation of every rule of parliamentary procedure? I can not believe it. The pledge which we gave to the people of Cuba was unqualified; was accompanied with no conditions, no limitations and no restrictions. And yet we say to this people in this amendment that, as a condition precedent to the withdrawal of the troops of the United States, you shall engage "never" to "enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, or in manner authorize or permit any foreign power or powers to obtain, by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island."

We say they shall agree, before we will give them the freedom we promised, that they shall "not assume or contract any public debt to pay the interest upon which and to make reasonable sinking-fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of the government, shall be inadequate." We insist upon reserving "the right to intervene for the preservation of Cuban independence." We arrogate unto ourselves the right to require that the Cubans shall execute certain plans and devise others "for the sanitation of the cities of the island;" we demand "that the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba," and, lastly, we stipulate that "the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specific points, to be agreed upon with the President of the United States." Gentlemen tell us these stipulations are all reasonable, and most of them are necessary to safeguard the interests and protect the health of the people of the United States.

My reply is that they are inconsistent with the full and complete enjoyment by the people of Cuba of sovereign rights which we are in honor bound to respect, and therefore violative of a most solemn pledge given the people of the whole world as well as those of Cuba. I do not believe this great, enlightened, and Christian nation can afford to commit an act of such palpable injustice and such glaring bad faith. There is no immediate necessity for any Congressional action, and certainly no earthly excuse for this hasty, ill-advised, and perfidious legislation, likely at any moment to provoke hostilities between the United States and the very people for the establishment of whose freedom and independence we waged a costly and a bloody war with the Kingdom of Spain.

That this bill, as it has been amended, will be enacted into law, thus carrying out to the uttermost the programme of President McKinley and his advisers, I do not for one moment doubt. If it be the desire and the purpose of those who are directing the affairs of our Government and who are responsible for this vicious proposition—to drive the Cuban people into open revolt, I can conceive of no surer means for the accomplishment of that end. Is it to be expected that a high-spirited people like the Cubans will be content with an American protectorate when they were promised freedom and absolute independence? I do not believe that the framers of this faith-breaking amendment even hope that they will. Their desire and evident purpose is to arouse in the Cubans a spirit of resistance.

Mr. Speaker, bad as is the legislation proposed in the amendment which relates to Cuba, it does not compare in atrocity to the Spooner amendment, which is intended to place in the hands of one man all legislative, executive, and judicial power over the lives, liberties, and fortunes of the ten or twelve million of human beings who inhabit the Philippine Islands. Such legislation as this is not only unparalleled in the history of legislative enactments, but it is absolutely subversive of those principles of free government upon which the American Republic is founded.

For two years President McKinley, as Commander in Chief of the Army, has been attempting to establish, at the point of the bayonet, a military despotism in the Philippine Islands.

Now he asks for, and is to be given by a subservient Congress, authority to establish a civil government with undefined and absolute powers, to be supported, of course, by a powerful military establishment. The amendment, or that part of it which clothes the President with autocratic power for an indefinite period, is in these words:

All military, civil, and judicial powers necessary to govern the Philippine Islands acquired from Spain by the treaties concluded at Paris on the 10th

day of December, 1898, and at Washington on the 7th day of November, 1900, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion.

Mr. Speaker, I do not believe that such absolute and unrestricted power as is contained in this amendment was ever before conferred upon any ruler, in any age, by any people, in any quarter of the civilized globe. That it is within the constitutional power of Congress to confer upon any man, or any set of men, such absolute undefined and unlimited power, I can not believe. The Constitution declares that:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The power to legislate for territory belonging to the United States is expressly conferred upon the legislative branch of our Government, and it must be that Congress can not delegate that power to the Chief Executive, to be by him in turn delegated to an irresponsible commission. There is no excuse for this ill-advised and unprecedented action. We are now within three days of the closing hour of this Congress. If this pernicious legislation is necessary now, it was necessary when the Fifty-sixth Congress assembled more than a year ago. It comes now coupled with the threat that unless the power demanded is given the President he will call the Fifty-seventh Congress together in extraordinary session, and cause to be enacted legislation affecting the Filipinos even more vicious than that which is now proposed.

This Congress is arrogantly told that unless it accedes to the demands of the President another Congress, more largely Republican, and therefore more subservient, will be immediately convened and legislation enacted more objectionable even than this. Speaking for myself, an extra session, under circumstances such as these, could have no possible terrors for me. Thus, Mr. Speaker, is to be extorted from Congress the most shameful and pernicious enactment that ever blotted the legislative history of the American Republic—legislation which the wisest and most patriotic of all the Presidents of these United States would have shrunk from executing if required to do so. It has been said upon this floor and elsewhere—and a Republican press has published it abroad over the land—that this Spooner amendment was an exact reproduction of the language of the act of 1803.

It is true that a portion of the language of the act of 1803, authorizing President Jefferson and his appointees to establish temporarily a civil government in the Louisiana Territory, has been incorporated in the Spooner amendment; but an examination and comparison of the one with the other will, I think, demonstrate very clearly that the two are in no wise analogous. The distinction between the two acts is as broad as the different purposes to be served could make them. They are totally and radically dissimilar in most essential particulars. The Louisiana act is in these words:

Until the expiration of the present session of Congress, unless provision for the temporary government of the said Territories be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property, and religion.

The treaty under which the Louisiana Territory was acquired provided in terms that its inhabitants should become citizens of the United States, and as such be entitled to enjoy all the rights and privileges attaching under our Constitution to that citizenship. The Paris treaty, under which we are attempting to subjugate and hold the Philippine Islands, contains no such provision. On the contrary, it was solemnly declared not to be our purpose to confer upon the Filipinos the rights and privileges of American citizens at the very time of the ratification of the Spanish treaty. The act of 1803 conferred no legislative authority upon the President and his agents. It recognized the existence of a civil government and authorized the President to administer laws then in existence. It was intended to be temporary and provisional, and was in effect for less than five months.

The Spooner amendment, as I have already said, confers legislative and judicial as well as executive powers upon the persons appointed by the President as the instruments to carry into effect his autocratic and unlimited powers, and there is no limitation placed upon the period during which they may be exercised. The same persons who are to make the laws for the Filipinos may construe and execute those laws. The property, liberty, and lives of millions of human beings are placed absolutely at the mercy of one man and his irresponsible satraps. It is not true, as has been said, that the President, as Commander in Chief of the Army, has this absolute power now. If that were true we would not be called upon to enact the legislation embodied in this Spooner amendment. As Commander in Chief of the Army the President would not dare exercise such vast and unlimited powers as are now to be conferred upon him by Congress. It is difficult to realize the extent and tremendous scope of these powers.

A carbetbag government is to be established and numberless fat offices created. Thousands of civil officers are to be appointed and millions of dollars expended by one individual, without accountability therefor. No such absolute, autocratic, despotic, imperialistic, and monstrous power was ever exercised by the Czar of all the Russias. The very contemplation of what is in store for the downtrodden Filipino is appalling to one who believes in the principles of free self-government and is not dead to every sense of justice. When the people grow weary of the task of self-government and turn it over to any man, be he the best and greatest of men, it must inevitably prove the commencement of that fatal descent which in the history of nations has been so rarely checked.

Mr. Speaker, I realize to-day as never before during my whole service in this House, that that "eternal vigilance" which is the "price of freedom" has been lulled to sleep, and that if it is ever to be awakened again the liberty-loving people of this great Republic must shake off the fatal lethargy by which they now seem oppressed and once more assert their right to govern themselves and to direct and control their own affairs. [Applause on the Democratic side.]

Mr. SULZER. I now yield to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Speaker, the resolutions known as the Spooner resolutions, placed on this bill as a rider in the Senate, raise two very important questions. First, what steps, if any, should now be taken to define our future attitude toward the republic of Cuba; and, second, shall the Congress definitively sanction the establishment of arbitrary government in the Philippine Islands, ignoring the Constitution, and invest the President with the powers of all?

Concerning the proposal to lay down, at this time, ironclad instructions for the guidance of the constitutional convention now in session at Habana and the government it is about to establish, I desire to make a few observations. I concur in the views of many of my colleagues, who have declared in my presence that in respect to several matters of the utmost importance it is the duty of this Government, and its right, to have something to say as to the affairs of Cuba.

I am of opinion that the question should not be broached by this Government until the Cuban constitutional convention shall have finished its work. It has agreed upon a constitution for the republic. The Cubans know what we desire, and their representatives have under consideration at this time the very matters to which the pending resolution refers.

News comes from Cuba that no objection will be interposed to a stipulation guarding this country against the danger of treaties with foreign countries inimical to the interests of the United States. I am glad to know this, for I unhesitatingly declare that it is not only the right but the duty of this country to supervise the foreign power relations of the island in such a way and to such an extent as will save Cuba from embroilment with foreign powers. I think we should see to it also that Cuba shall contract no debts or obligations of a nature or in quarters which might in the future imperil her safety.

Mr. Speaker, not long ago the German Emperor sent a man-of-war to the island of Santo Domingo as the bearer of a sight draft against the Government of that island. Bombardment and invasion were threatened, and the poor islanders were compelled to pay the claim. Five or six years ago Nicaragua was invaded by the English and a similar outrage was perpetrated there. Are these cases to be regarded as precedents?

Our Government made no protest, and so the proceeding was at least tacitly approved at Washington. It may be said the claims were just, but who knows they were just? The little Republics thus assailed demanded arbitration, and the fact that it was refused is some evidence that they were robbed.

The United States is bound by the highest considerations to safeguard Cuba against similar complications; for, Mr. Speaker, any attempt of a foreign power to repeat in Cuba the proceedings in Santo Domingo and Nicaragua, to which I have referred, would not be tolerated by the United States. To put it plainly, whatever would endanger Cuba in the future is of interest to the people of the United States, and it is only reasonable that we should seek to throw about the island such safeguards as are manifestly necessary to her safety.

I do not believe we have any right to demand the cession of coaling stations in Cuba, or that we have any right to lay claim to the Isle of Pines or any other appanage of the island. I deplore the fact that any such demand is to be made, for I firmly believe it will lead to friction and probably to disaster.

I deplore the fact that any demands whatever should be made upon the island while the representatives of its people are in session considering the very questions dealt with in this resolution. Under such circumstances any action whatever on our part is an insult. We have no right to suspend over the heads of the delegates to the Habana convention as a menace the sword of a dictator.

I firmly believe that as to all matters concerning which we have reasonably a right to be consulted the people of Cuba stand ready to make most ample concessions. To project into the deliberations of the constitutional convention this brutal threat of intervention in the affairs of the islands if this or that be done or omitted is to endanger the peace of the island and may lead to a tragedy. Sir, we are not unfamiliar with conditions existing in Cuba.

We know that in the island are numerous factions, each anxious to gain ascendancy in public affairs. We know that naturally the inhabitants are intensely jealous of any interference of Americans in the affairs of their country. We know that the designing demagogue is sure to call in question any concessions made by the constitutional convention. We know that as a result of a decade of civil war the island has suffered pitiable demoralization, and that its chief danger arises from the presence of a large class, debased by evil environments, ready for the resumption of the life of the guerrilla soldier, because they would rather fight than work.

Mr. Speaker, to this debased element and to over-zealous patriots who will be angered by this unjustifiable proceeding, the demagogues and the disturbers of the peace who make no concealment of their hostility to Americans will appeal. By these classes the patriotic men of the Cuban constitutional convention must expect to be assailed. No matter how well the work intrusted to them may be performed—no matter if the concessions made to the United States be plainly for the best interests of Cuba, still there is small hope that the members of the convention will escape bitter denunciation and unwarranted criticism. By passing this resolution we multiply the difficulties with which they are dealing.

We put a club into the hands of their enemies. Sir, the ink will not be dry upon the Presidential sanction of this measure before Cuba will be ringing with denunciations of those responsible for its passage and any Cubans who favor compliance with its requirements. And may Heaven decree that nothing worse than verbal warfare may result from it. Deplorable indeed is the fact that the party in power feels constrained to take a step which will unmistakably tend to prevent the growth of affection for the great Republic in the hearts of the people of the island, for of all the Spanish-American states of whom Columbia is the mother, Cuba should be her favorite daughter.

Sir, from the beginning I have looked forward to the time when, amid joyous acclamation of her people, Cuba will seek political union with the United States, and I condemn not only as unwise, but as criminal, a measure which assuredly will postpone, if it does not wholly prevent, this consummation so devoutly to be wished. [Applause on the Democratic side.]

Mr. Speaker, the resolution providing for what has been misnamed civil government in the Philippine Islands marks the passage of the line which separates the republic from the empire. Its passage will accomplish the revolution foreshadowed soon after the occupation of Manila by American troops.

The first step in the direction of this revolution in our form of government was taken when we bought from Spain a country of which Spain did not have possession, and to which, under old-fashioned American ideas, she had no shadow of a title—a country which had cast off by force of arms a government of force endured for centuries, and which, when we purchased it, was in the hands of its inhabitants, its only legitimate owners.

The next step was taken when our army in the Philippines was ordered to overthrow the domestic institutions of the islands and forcibly subject them to American rule. Upon the assumption that the end has been reached or is near at hand, this, the final step, is about to establish over there a government essentially arbitrary, possessing unlimited power over the inhabitants, who henceforth are to have no voice in choosing their officers, or in devising laws for the imposition of taxes, or in controlling public expenditures, or in the enactment of the laws under which they are to live.

Mr. Speaker, if the fundamental precepts of liberty professed by the founders of this Government, inscribed in its Constitution and the amendments thereto, and heretofore proclaimed by Americans of all parties as the very formula of freedom, applicable to all classes and all lands—if government by force is violation of republican principles and despotic invasion of the rights of men—then certainly the departure we are making accomplishes a complete revolution in our institutions.

It vests in the President, as ruler of the Philippine Islands, executive, legislative, and judicial powers. What is the difference between the republic and the empire? Why, in the republic the executive possesses only executive powers. The people, through their representatives, make the laws, and courts chosen by the people construe them.

In the empire the emperor—one man—personally or through agencies of his own choosing, exercises all these powers. Tell me, then, when this law shall be placed on the statute books, will the Philippine Islands enjoy the blessings of the Republic, or be

compelled to endure the hardship of living under an absolute government? Our Chief Executive will continue to be the President of the United States, presumably restrained by its limitations.

He will become the ruler of the Philippine Islands, exercising all governmental powers, with no limitations whatever upon his exercise of power, and may deal arbitrarily with the laws, fortunes, happiness, and destiny of 12,000,000 people who are to be brought by force under his dominion and control. Deny it as you will, but as sure as God reigns, henceforth the President of the United States will be the emperor of the Philippine Islands. [Loud applause on the Democratic side.]

Mr. SULZER. I now yield two minutes to the gentleman from Tennessee [Mr. CARMACK].

Mr. CARMACK. Mr. Speaker, it is a criminal farce to force to a vote a question of such gravity as this without debate, for the few minutes yielded to its discussion can not be dignified with the name of debate. There is hardly time to protest against this outrage upon the right of free speech in this House of the people, much less to debate the merits of the question upon which we are to vote.

The majority have no respect, even for the appearance of decency, in their headlong haste to perpetrate this crowning act of a shameful and iniquitous programme. An act which attacks the very fundamental principles of our free Government and disgraces forever the fair name of our country is to be hurried to completion with such swiftness that there is hardly an opportunity for honesty to utter its indignant protest against the crime.

This is no time, Mr. Speaker, to mince words. The passage of the so-called Spooner and Platt amendments will be an act of infamy, and every man who votes for them willfully, deliberately, and premeditatedly becomes a party to the crime. This, sir, is but one more chapter in this Administration's monotonous and unbroken record of perfidy, falsehood, and dishonor. I believe it will be the deliberate judgment of history that no Administration in this country, or in any other civilized land, has ever shown such brazen and cynical contempt for the nation's honor or for its own.

When the future historian comes to write the story of this Administration, he will search in vain for a single promise which it has not violated or a single trust which it has not betrayed. Sir, the sickening laudation which craven politicians in this House or in the other lavish upon the President and his Administration may be rewarded with official favors, and thereby answer the only purpose they were intended to serve, but courtiers and flunkies do not write history. They can not change the historical facts of this controversy, and these facts rise up in judgment against this Administration.

The President of the United States in a solemn message to Congress declared that the forcible annexation of a country without the consent of its people would be a crime. He is now using all the military and naval power of the United States and wasting without stint the blood and treasure of his country to commit the very crime he then denounced. This Congress passed a resolution declaring that the people of Cuba were, and of right ought to be, free and independent. Not content with that, it expressly disavowed, by solemn resolution, any intention to exercise authority over the people of Cuba, but declared that as soon as peace should be restored the people of that island should be left free and independent. The President of the United States, in a message to Congress, declared that this was a pledge, an obligation binding upon the honor and the conscience of the country, and that it must be sacredly kept.

Mr. Speaker, when the President made that declaration in his message, I, for one, dismissed as groundless and unworthy the suspicion that the Administration harbored a secret design to violate its promise and to overthrow by force the liberties of the people of Cuba. But who can say now that the President has a right to be trusted when he has given his word? That there should be close political and commercial relations between this country and Cuba I fully agree; that by dealing with these people in a frank and friendly spirit we could have obtained everything we had any right or reason to ask for, I have no doubt whatever. What, sir, is the meaning of these conditions which we seek to impose on the people of Cuba?

I put to the gentleman from Ohio [Mr. GROSVENOR] the question as to what the Government proposes to do in the event the people of Cuba should refuse to accept these limitations upon their independence. He sought to evade the question, but finally answered that this proposition was our ultimatum to Cuba. An ultimatum, Mr. Speaker, presents an alternative of war. "Submit to these terms or I come upon you with fire and sword"—that, sir, is an ultimatum, and that is what the gentleman from Ohio tells us is the intent and purpose of this Administration.

Mr. Speaker, I am amazed at some of the arguments that have been made by some of the gentlemen on the other side of the Chamber. Some of them, carried to their logical conclusion, go to the extent of justifying human slavery as it once existed in this

country, and some of the very precedents now cited to justify this Administration were damned by the Republican party in the first breath of its existence.

The gentleman from Ohio [Mr. GROSVENOR] shakes in our face the Ostend manifesto, which the Republican party denounced in unmeasured terms in its first platform, and which many people had come to believe was buried beneath a weight of obloquy beyond all hope of resurrection. Other gentlemen cast into our teeth the laws of many Southern States, which they charge are intended to disfranchise the negro. Mr. Speaker, we have heard these accusations in the past, but they come to us now with a different meaning. They were once uttered to bring shame and reproach upon the Democratic party. They are now cited to justify the course and policy of the Republican party.

At one time the Republican party and Mr. McKinley himself used to denounce us for violating the principles of the Declaration of Independence by our restrictive legislation against the negroes; but now we are given to understand that they propose to follow our example. Mr. Speaker, I wish that I had the time and the opportunity to deal with the attempt to show a parallel between some of the laws of the Southern States and the policy of the Administration in the Philippine Islands. But let me say this, Mr. Speaker, that if it be true that we have any people under our flag with respect to whom we can not act in the spirit of the Declaration of Independence, it is unfortunate that it should be so, and if that condition did not already exist I would not go 10,000 miles away to wage a bloody and costly and destructive war in order to create it.

Let me say, further, that it is one thing to leave a people of an inferior race to govern themselves in their own country and according to their own laws and customs and state of civilization, and it is quite another thing to let such a people make and administer laws for you. I would never consent that the people of the Philippine Islands should share in the government of this country, for while I think they can govern themselves I do not believe they are fit to govern us.

But all these things, Mr. Speaker, do not touch the fact that we have bound ourselves by a most solemn pledge not to do the very thing we are doing now. The Republican party and this Administration proposes to violate that pledge upon the cold-blooded plea that there is profit in dishonor and money in crime.

Mr. SULZER. I now yield to the gentleman from Virginia [Mr. HAY].

Mr. HAY. I yield to the gentleman from Missouri [Mr. BENTON].

Mr. BENTON. Mr. Speaker, I am in favor of the soldiers in the Army of the United States being paid. In opposing this bill I am not striking at our soldiers. I am opposed to the whole miserable policy which forces upon the American freeman and taxpayer an Army so large as to make it cost five times as much as it did four years ago; but the American soldier should bear no part of the blame. It is his part to obey orders; it is his to do, to suffer, even to die in obedience to orders, and we honor him for his sturdy courage and patience. Bad as was this bill when it left the House in enormous expenditure, it was unobjectionable compared to the bill as it is returned to us with its infamous amendments. To the amendments, Mr. Speaker, I address my remarks. Out in Missouri in 1900, when I declared in public speeches that "the Republican party did not intend to live up to our honorable declarations regarding Cuba," that it was the intention of the Administration to violate our pledged faith and steal Cuba, I was denounced as a partisan falsifier. I wish I had been mistaken in my statements, but these amendments bear me out.

Mr. Speaker, I call the attention of the House to amendments concerning Cuba. I think it proper just here to see what we said when we were about to go to war with Spain. Let honest Americans who have some regard for national honor read:

Joint resolution for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Whereas the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship with 266 of its officers and crew, while on a friendly visit in the harbor of Habana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited; Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

THOMAS B. REED,

Speaker of the House of Representatives.

GARRET A. HOBART,

Vice-President of the United States and President of the Senate.

Approved, April 20, 1898.

WILLIAM MCKINLEY.

Mr. Speaker, before this proposed legislation is enacted into law there ought to be a resolution pass the American Congress absolutely and unqualifiedly repudiating the resolutions of Congress approved April 20, 1898. Men ought at least to be brave when they determine to enact villainous legislation; legislators should not enact villainies under shadow or cover. The Congress should boldly say: We fooled the world when we made it believe that we went into war with Spain to avenge our honor or in the interest of humanity; Congress ought not to hide any further: the Administration and its Congress ought now to mean what they say, and to do that, should repudiate all declarations of the past.

I have just quoted the action of Congress on April 20, 1898; now, what is proposed in this bill?

The text of the Cuban amendment is as follows:

That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to leave the government and control of the island of Cuba to its people so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I. That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

II. That said government shall not assume or contract any public debt to pay the interest upon which and to make reasonable sinking fund provision for the ultimate discharge of which the ordinary revenues of the island after defraying the current expenses of government shall be inadequate.

THE RIGHT OF INTERVENTION.

III. That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States now to be assumed and undertaken by the government of Cuba.

IV. That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V. That the government of Cuba will execute and as far as necessary extend the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba as well as to the commerce of the Southern ports of the United States and the people residing therein.

VI. That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future judgment by treaty.

VII. That to enable the United States to maintain the independence of Cuba and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII. That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

Here is notice served on the people of Cuba:

Put the substance of these declarations into your constitution or the United States will maintain its military control of your territory.

The United States shall be suzerain over Cuba, we here boldly say by an amendment to an appropriation bill, or we will not remove the military forces of this Government from Cuban territory. We demand of the convention now preparing a constitution for the government of Cuba that it shall solemnly agree that the United States shall be permitted to assume a protectorate and become suzerain over Cuba or we will hold and exercise authority with the mailed hand of military power.

By the amendments to this bill we assert our right to stand in the same relation to Cuba that Great Britain did to the Boer republics, which she has recently destroyed and for which she is denounced by the great majority of Americans.

That is a shrewdly constructed clause which demands that the United States may "exercise the right to intervene for the protection of life, property, and individual liberty." Under this clause our Government may on the slightest pretext pour into Cuba soldiers to suppress outbreaks of internal troubles.

Section 4 proposes to validate all acts of the United States while in the island, and particularly to validate rights acquired while we were in possession. It is meant here to fasten on the constitution of Cuba all franchises procured while we held military possession. It is meant to force the Cubans to indorse all unconscionable contracts made for the benefit of corporations. In this

clause the Republican party proposes to keep faith with the plunderers who have furnished the funds to keep it in power.

Mr. Speaker, these declarations which come to us from the other end, and which this majority will soon fasten on this bill, and which by the signature of the Executive will soon become an act of Congress, show the inconsistency, the lack of good faith of the party that said in their national platform of June, 1900:

To Cuba, independence and self-government were assured in the same voice by which war was declared, and to the letter this pledge shall be performed.

And this bill will doubtless be signed by the same Executive who said: "Forcible annexation would be criminal aggression." Within the week the American Congress will spit on, repudiate the promise we made to the people of Cuba, to ourselves, and to the world in the declaration:

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

When it is done this Government will be dishonored, because a government is dishonored when it breaks faith, and we will be doing it for the meanest of reasons—material advantage. It is said we have a right to supervise Cuba in her treaties and other obligations because of our assertion and maintenance of the Monroe doctrine. I deny it. As an American and Democrat I deny it.

The doctrine that takes the name of the patriot and democrat who left his blood on Revolutionary battlefields and who gave us a wise, brave, patriotic Administration, goes to no such lengths. The true, honest American doctrine is to permit the people of Cuba to establish a government of their own, under our solemn pledges made to them and to the world, demanding no cession of territory as our right; no demand of military, naval, or coaling stations; no demand that dishonest bargains be validated; no suggestion that the military of our Government will continue to control. When Cuba has a government, when she is sovereign, then if a foreign power shall endeavor to encompass her sovereignty in any way, or make demands detrimental to our rights as we declare them under the Monroe doctrine, we can say, we must say, no. We shall then declare the United States stands by to see the liberties of Cubans preserved and our own rights on this hemisphere observed. This is not only the honest American doctrine, but is the true democratic doctrine. We have no right to put Cuba into "leading strings." These amendments are not put on this Army appropriation bill for Cuba's good, but to make excuse for keeping soldiers of this country in Cuba and to validate franchises procured by scoundrels while our Army was in control there. The Republican party ought to stand out in the open.

Mr. Speaker, your party is in full and complete control of every branch of this Government. The Cubans, who have longed for liberty and fought for freedom so faithfully, are at the mercy of this Government, which is in control of the Republican party, and your party is owned, body and soul, by a conscienceless lot of looters and plunderers. Sir, the great Republican party, that is just about to begin a new lease of power, should not shuffle in this matter. Be brave enough to say that you have made these dishonorable demands on the people of Cuba, expecting them to refuse, and that it is then your intention to maintain military supremacy. Say boldly that you intend to back up the buzzards that are preying on the prostrate Cubans by driving hard bargains and procuring by intrigue special privileges.

Sir, your leaders boast of Republican courage; now exhibit it. Announce to the world that you intend, though Cuba is now pacified, to repudiate section 4 of the joint resolution of April 20, 1898. Say you intend to make the United States an Ananias. Tell the world that the United States is in Republican control, and that means the control of plutocrats, who have no regard for the honor and pledged faith of the great Republic. This bill lacks one amendment to complete your real meaning. You should add: "Resolved, that Cuba contains good stealing for more Neelys and Rathbones; that her people can not help themselves, and we intend by these amendments to drive the Cubans into desperation and then to boldly take the island and make of it what we propose to make of the Philippines—a plundering ground for trusts and syndicates."

Men trained in the real faith of the Democratic fathers believe that our Government ought always to encourage liberty; to see that "equal and exact justice" is dealt to all men; to use all our power as the favored people of the earth to see that free government is encouraged everywhere, and especially in the Western Hemisphere; that when any people in North or South America, or the islands adjacent, declare and maintain a government of their own, that foreign people shall be told that no interference will be tolerated by the United States which affects the integrity of such governments. And the true American, the faithful American Democrat, believes that such base repudiation of our pledges to the Cuban people as is meant by the amendments to this bill is perfidy; that the President, who signed the Teller resolution, was right in declaring that the "highest honorable obligation rests on this Government to carry out the provisions of our pledge."

And we believe that no excuse can be offered for refusal to stand by that pledge that will not emphasize our national disgrace. In that resolution we affirmed that the people of the island of Cuba were and of right ought to be free and independent, and I voice the belief of Democrats when I denounce the intention of the Administration to repudiate that solemn pledge. The people of Cuba, by their constitutional convention, have adopted a constitution for their government, republican in form, and should be permitted to decide for themselves, as did the Republic of Texas, as to whether they want to become a part of the American Republic, and then it will be time for us to decide whether we will admit Cuba into these United States. Sir, let us be honest with each other. No political student can deny that these amendments destroy the sovereignty of Cuba; no government can be sovereign that is denied the right to make any treaty. We herein demand that she covenant with us for all time not to become sovereign. Mr. Speaker, on this Army appropriation bill, carrying a larger amount of money than is expended by any foreign nation for its army, we have tacked this amendment:

All military, civil, and judicial powers necessary to govern the Philippine Islands, acquired from Spain by the treaties concluded at Paris on the 10th day of December, 1898, and at Washington on the 7th of November, 1900, shall, until otherwise provided by Congress, be vested in such a manner as the President of the United States shall direct for the establishment of civil government, and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion.

Here we see proposed power unlimited to be given the President. Never before has any Executive of these United States had such power. The curb is to be taken off and free rein given the President.

The President of the United States is a creature of the Federal Constitution. In the States comprising the Federal Union he can have no such authority given him, yet ten millions of people over whom our Government claims dominion, a constitutional Executive of a free republican government is to be given the right to make and judicially construe laws. The advocates of this amendment insist that they have a Democratic precedent during Mr. Jefferson's Administration, in the Louisiana territory. I challenge the assertion. This amendment is not on all fours with authority given Mr. Jefferson. Article 3 of the treaty by which we acquired the Louisiana purchase is as follows:

The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and in the meantime they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

Here we see that Mr. Jefferson was hedged in by a treaty which has the force of law—to see that this territory be formed into States as soon as practicable. Meanwhile he was compelled to see that the people be protected in their liberties and religion. No such guaranty is given the Filipinos; no promise is made that they shall ever have the proud boast of American citizenship. The reading of Article IX of the Spanish-American treaty, ratified by the United States in February, 1899, says: "The civil rights and political status of the native inhabitants of the territory hereby ceded to the United States shall be determined by the Congress." No treaty rights protect the Filipinos. And now Congress is to surrender its power to legislate, here you are to give the President power to legislate, and he is under no treaty obligation to give to these people at any time the blessings of free government. Mr. Jefferson was bound by treaty, as was the Congress, to carve the territory of Louisiana into sovereign States as soon as practicable. But the majority here insist that the proposed amendment confers the same power that was by act of Congress given to President Jefferson. I deny it. Here is the act of 1803:

SEC. 2. And be it further enacted, That until the expiration of the present session of Congress, unless provision for the temporary government of the said Territories be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property, and religion.

Approved October 31, 1803.

By its terms the authority for the President to act was limited to the expiration of the session of Congress. Besides, Mr. Jefferson was only authorized to appoint persons to exercise the same powers as were already "exercised by the officers of the existing government of the same." In other words, they were authorized by the President, through Congress, to execute and enforce power existing when the United States made the Louisiana purchase. Another statute was passed in 1804 vesting the power of governing the Louisiana Territory in "a governor and thirteen of the most fit and discreet residents of the territory."

The act of October 31, 1803, was temporary, to continue until Congress could act. We have had such title as Spain could give by quitclaim deed of the Philippine Islands for more than two years. Ample time has been had for organizing a Territorial government, as was done for Louisiana within a year of its purchase, yet the Congress is to turn over the control of the archi-

pelago to the President. And more, the views of Mr. Jefferson, well known to Congress as being in favor of government by the people, made it clear that he would shrink from exercising imperial power. In the Louisiana case the few people then in the territory were protected by treaty, while in the Philippine case the people depend upon the whims of an Executive who can not be depended on to have the same mind on any question very long. Mr. Jefferson believed and taught the blessed doctrine of government by the people, while Mr. McKinley believes in government by force and by manipulation of trusts. Mr. Jefferson fostered liberty. Mr. McKinley fosters commercialism at the expense of liberty.

Mr. Speaker, from the day of our landing at Manila we have fooled the Filipinos. They were our allies before the power of Spain was broken. They were bullied into fighting our soldiers and then pronounced rebels and traitors, though they never did acknowledge allegiance to this Government. You take a people against their will and then proceed to govern them as if these United States had the power of a monarchy. I denounce the whole miserable business as being un-American, undemocratic, unrepugnant. The Republican party is drunk with a renewed lease of power and is determined to exploit Cuba and the Philippines for the benefit of the trusts, no matter how much blood is vomited, no matter how much liberty is destroyed. I expect to see the time come when your crimes will overtake you. [Loud applause.]

Mr. HAY. I now yield to the gentleman from Missouri [Mr. VANDIVER].

Mr. VANDIVER. Mr. Speaker, the infamy which this amendment seeks now to legalize is a monstrous outrage upon the Filipino people. It is well illustrated in this modern fable of the eagle and the fish. The eagle having rescued the fish from the hawk, then seeing what a dainty meal he would make, pounced on the fish himself; and as he sails away with his prey the fish makes appeal for liberty and freedom; and the eagle makes this response—the same that McKinley now makes to the plaintive cry of the Filipino:

How ungrateful you are
Since I've traveled so far
To emancipate you from
The tyrannous hawk,
Thus of freedom to talk,
And imagine you've a claim
To the home whence you came.

Indeed, I've designed
And had only in mind,
As distinctly I said in my late proclamation,
To secure for your race
A superior place
By means of benevolent assimilation.

[Applause.]

Thus into the air,
'Spite of protest and prayer,
The fish goes aloft to the bird's habitation;
And the bird is so filled
With the fish that he killed
That he too dies of benevolent assimilation.

[Laughter and applause.]

Now, Mr. Speaker, what does the Republican party propose? Observe, it says "all military and civil and judicial power" is to be vested in the President. His appointees are to be the only legislators also. Is anything lacking to make up imperialism? During the last campaign your party denied the charge that you were seeking to change the character of this Government. You denied that you were imperialists. Everywhere throughout the length and breadth of the continent you proclaimed your love for the Constitution. You professed still to cherish the doctrines of the Declaration of Independence. You laughed to scorn our charge that your party was not faithful to the ideals of this Republic. You succeeded in carrying the election. Now, you openly and boldly repudiate the plain provisions of the Constitution. With unblinking effrontery you even go a step farther and do the very thing we prophesied you would. Here is an amendment that was offered to your proposition in the Senate day before yesterday, and it was defeated by a strict party vote; Senator HOAR was the only Republican Senator who still had courage enough to show his fondness for the Republic and dread of the empire:

And provided further, That no judgment, order, nor act by any of said officials so appointed shall conflict with the Constitution and laws of the United States.

Every Republican voted against this amendment except Senator HOAR.

Your party has even refused to make these officers whom you appoint in the Philippines take the ordinary oath required of officers in this country to support the Constitution of the United States. They are merely to be the satraps of His Majesty William of Canton, who is to be enthroned on next Monday.

I realize, Mr. Speaker, that nothing I may say, nothing that any man can say on this floor, will change the result. It has been predetermined. Your "boss" has drawn the party lash, and like slaves you will do his bidding. "Base, ignoble slaves," "you crouch and cower like belabored hounds," and do your master's

bidding. It is a shame and disgrace—a foul infamy. The vocabulary of condemnation is too weak to express the profound contempt which your conduct merits. Words are feeble instruments. I would to God I could command some more powerful means of expressing my horror and condemnation of this infamous proceeding.

Men calling themselves gentlemen, and representatives of a Christian country, professing faith in Democratic form of government, now propose to legalize and authorize robbery, murder, and spoliation of weak and helpless people, merely because you want possession of their lands, and the patronage and profitable business of governing them, and you are not even willing to govern them under the limitations and safeguards of that Constitution which has been the bulwark of liberty on this continent. You propose to go into the business of government purely for profit. Your war of "benevolent assimilation" has degenerated into a war of conquest and extermination. The mines, the forests, the fields, and all franchises in the Philippines have tempted you, and the devil of tyranny which has so long slumbered in your bosoms now asserts itself. I speak advisedly and prudently when I speak of these selfish motives which lie back of this cruel war.

As early as August 13, 1898, a Cabinet official cabled to Admiral Dewey that the President desired to know what were the most desirable possessions for us to make in those islands. Here is his cablegram, addressed to Admiral Dewey, Manila:

WASHINGTON, August 13, 1898.

The President desires to receive from you any information you may have of the Philippines; desirability of the several islands; character of the people; coal mines; other mineral deposits; harbors; commercial advantages, in a naval and commercial sense; which would be the most advantageous.

SECRETARY OF THE NAVY.

In reply to this Dewey mentioned the "undeveloped coal mines, mineral deposits, and other advantages" of the island of Luzon, and also called attention to other islands, after which McKinley decided to take them all.

Do you find in that cablegram or its reply anything about the good of the governed? Anything about humanity or civilization? Anything about the spread of constitutional liberty? No! It is a cold proposition of greedy and damnable conquest. More than this, all the shameless proceedings are well illustrated here in this House to-day. The chairman of the committee having this bill in charge, which now increases the Army of the United States to an hundred thousand men at an expense of \$150,000,000 a year to carry on this infamous business of conquering the Philippines, openly confesses that he is himself interested in the business—financially interested; that he is the president of a great land and lumber company lately organized for extensive business in the island of Luzon. Without meaning any disrespect or personal offense to the gentleman from Iowa, who is the president of this Philippine land and lumber company, I mention it only because it illustrates the low standard to which we have fallen.

Here is one leading member of this House operating in the timber lands of Luzon; another prominent member operating in sugar lands in Cuba; another company is now being organized to control the street-car lines in Manila; another one to secure railroad franchises; another one the electric franchises, while the great monopoly, which includes the whole Republican party here, is now seeking to get control of the entire business of government. A monopoly of government means a thousand or more fat salaries for civil officers in addition to the immense list of the Army and the Navy.

Who is it crying out for the blood of the Filipinos because they refuse to submit to these outrages? Is it the ordinary American citizen, wanting a place to build a home for himself and family? No, he would never think of going to the Philippines, where the climate is hostile to the white race, and where the country already has a population of 65 to the square mile, while our country has only 23. Who is it that urges on this campaign of slaughter and extermination? It is the speculator, the franchise grabber, the land grabber, the gambler in other men's rights, the trafficker and trader, who is willing to slaughter a thousand helpless victims in order to build up his own private fortune. Aye, willing to exterminate whole tribes and races of people in order to exploit their lands and resources. Oh, sir, this is a crime against humanity; a curse which future generations will hold you responsible for. A day of retribution is not far distant. Your hypocritical pretenses of patriotism have carried you along so far, but the time of awakening will come.

You say you are giving these people the same privileges and safeguards that Jefferson gave to the people of the Louisiana territory. You know it is a falsehood. You know it is an outrageous falsification of the facts of history. Turn to the third article of the treaty of 1803, by which we acquired possession of the Louisiana territory from France; read those words in that treaty. How do they compare with your absolute refusal—by a party vote—to be governed by the Constitution. You say that Jefferson did not wait for the consent of the Government. You know very well that the people of the Louisiana territory preferred

to be under American government instead of French government. You know that that sentiment was so nearly unanimous that it was taken for granted, without a formal declaration. Furthermore, you know that, with the exception of the Indian tribes, the settlers in that territory belonged to our own race of people and had come mostly from our own States. They were the children of our own Commonwealths.

You know, too, that the colony of New Orleans under French rule was a source of danger, and our country needed possession of it in order to avoid a foreign war, while McKinley purchases distant islands and brings on a foreign war. You also know that the promise of statehood was held out to the inhabitants of the territory, and that now we have fifteen States carved out of it and three more ready to be, while nobody here is willing to admit the Philippines to the privilege of statehood. You know all of these things, and still, with falsehood on your lips and hypocrisy in your hearts, you plead the peaceful acquisition of contiguous territory, settled and to be settled by an homogeneous race for the spread of constitutional liberty and the permanent establishment of peace and happiness on this continent as a sufficient excuse for the war of foreign conquest and the establishment of arbitrary and imperial government over millions of people of an alien race 7,000 miles beyond the sea.

Your hypocrisy will not go unmasked. The thin veil of patriotic pretense will be torn away; the truth must be known. The sacred name of religion can not always be used to shelter the devil's purpose. Thank God, there are still some Christian people in this land—some people who still preserve the essence of Christian teachings. The political freebooters who masquerade as Christian civilizers will some day pave the streets of hell with their sordid souls, and God will raise up a generation of honest men, who will see the truth and be willing to deal justly with their fellow-men, of whatever race.

It may be that we shall first have to learn the unprofitableness of the dangerous business in which we are engaged. We may have to learn that an Army of an hundred thousand men and a Navy of 40,000 can not be supported on nothing; that they can not even be supported on the proceeds of plunder and spoliation of the helpless people we are slaughtering. We may have to learn by hard experience that \$750,000,000 a year—the amount appropriated this year by this Congress—has to be wrung from our own people year after year by the hand of the taxgatherer. We may have to learn that this amount is equal to a tax of \$50 on each family of five people in the United States, or that it is equal to the entire volume of the wheat crop of the United States, or, to put it in a different way, we may have to learn, as the people of Italy and some other parts of Europe have learned, that a blue-coat with a frowning musket on every street corner, with all the other accompaniments and privileges of a governing class, will mean that taxation from 10 to 20 per cent of the valuation of all property must sooner or later eat up every dollar of surplus earnings and drive out of existence the great middle class and leave no career open to our children but that of the soldier or the tenant of the soil of a landed aristocracy. Militarism and landlordism—the plague and the curse of Europe and Asia—stare us in the face.

I say we may have all these things to learn, but I am confident that sooner or later impartial history will render a juster verdict than that which this day registers on this, the most vital question that has confronted this Congress.

In conclusion, Mr. Speaker, I shall submit as a part of my remarks portions of a letter now in my possession, written by a gentleman of eminent position and remarkable ability, who has spent many months in the Philippines and made a more careful investigation of conditions there, and reported them with more independence and accuracy than any writer whose observations have been printed. That he is a close observer and able writer the letter itself bears proof; that he is a man of unimpeachable veracity and integrity I can testify from personal knowledge. The whole letter is in my possession and in the author's own handwriting.

His name is withheld because the letter is written only as a personal letter from one friend to another, and not for publication; and his position, as well as the privacy of the communication, makes it improper for me to make it public.

It is dated "Philippine Islands, December 12, 1900," and after the introductory sentence is as follows:

DEAR JUDGE: * * * I notice by your letter, even the intelligent man that you are, that you are yet talking about our "looking after them (the Filipinos) until they are fitted either to be admitted into the Union or given self-government;" and, of course, you are not to blame for this condition of mind; you are entirely dependent upon the papers and magazines, etc., for material to form your opinions. But let me say to you, Judge, honestly and candidly, if you were dependent on the same sources for your knowledge of the people of the old circuit you reside in you would say the same about them. The class of people that are coming out here and running hurriedly around among these people and writing them up and passing judgment on them would be dead sure to pass the same kind of judgment on the people of J—, W—, I—, and W— counties if they were to find those counties, with the same people they now have, situated in some other country of the world, and a large majority of them would decide that they are incapable of

self-government if they were to go and visit them where they are and without ability to speak their language.

We, of course, have savages and semisavages here—several millions of them—but even a large majority of them are much more capable of casting an intelligent vote than are more than that many cotton-field negroes in the South to-day. But the savages and semisavages live to themselves away off in the forests, and in "frontier regions," and maintain their own governments (as our Indians always did). And besides them there are the people over here—the people of the country—the Tagalos and Visayans; and I should say the Tagalos and Visayans include people called, locally, by other names, just as some of our people are called Alabamians and some Virginians and some Vermonters; and there is not any more difference between those of the different names in the Visayan class and the Tagalo class, respectively, here than there is between those I have mentioned there in the United States, either in language or anything else. The Tagalos and Visayans have different languages, but they are very similar; something like high Dutch and "low Dutch," for instance, I imagine. All Tagalos coming in contact with Visayans learn their language almost at once, and vice versa. And you probably think their languages are languages of savages, or, at most, semicivilized people. You probably do not know that each has its history, literature, poetry, etc., and hundreds, in fact, thousands of schools (if we include private schools and classes, etc.).

At the Visayan College, at Cebu, over 400 young men are being educated, and when I visited there last spring four of them were studying Spanish as one of the modern languages they thought it profitable to learn. The rest, of course, were studying in Visayan just as people in our schools study in the English language. Cebu is the city in which the Spanish Catholics established their first church and school over here—in about 1521, about three hundred and seventy-nine years ago—and they have had churches and schools there ever since, and still have them. But the "savages" still stick to their own schools and language and literature, etc., that they had when the Spanish found them here in 1521. And practically the same thing can be said of the Tagalos, but probably a greater per cent of the Tagalos learned Spanish. * * *

Now, of the Tagalos and Visayans there are about 6,000,000, and they are lawyers, doctors, druggists, merchants, artists, artisans, farmers, bankers, etc., just the same as the people called Virginians are, and they live at home in families just the same as Virginians do.

Now, Judge, I am not afraid that you will misunderstand me, but a casual reader of the nonthinking class would come to the conclusion from what I have written above that I claim that these people are just like Virginians, and the equal of Virginians; and would "pitch into" me at once and contradict me, up and down, and call me a fool, and if I were to answer their assertions and contentions, etc., I would have to admit that these people are not white, and that they (at least a great many of them) "go barefooted," and that they dress so as to look to me and you and my critic like "guys," and that they can't talk so as to express an intelligent thought to an American of ordinary education, who does not know their language, and that their principal diet is rice, and that it is very common for them to sit on the floor in a circle when eating their meals, instead of on chairs at tables, as we do; and that if you meet one in the street riding in his buggy or other vehicle he will turn to the left instead of to the right, and if one of them motions with his hand to another to indicate to him that he wants him to come to him he will do it with the ends of his fingers pointing down, etc.

* * * That is, they belong to a different civilization, and thousands of years of character building and civilization, construction on lines essentially different from the lines of our civilization, have made them a different people from us; but that is not saying that they are better than we are, or as good; but most fools think that it is a conclusive proof that they are not as good as we are and that God has made us His agent—"humble instrument" they hypocritically express it—to make them perfect by making them just like us.

The long and short of the whole matter is that they are to-day as capable of self-government as we are. I do not mean by that that they have the capacity to "give" us a good government. (And if they were admitted to be a thousand times as capable to govern us as we are to govern ourselves, we would say that they had no right to "give" us a good government or any other kind.) They could not "give" us as good a government as we can make and maintain ourselves, and quite likely they could not "give" us as good a government as we could "give" them, and I do not think that they can govern themselves as well as we can govern ourselves; that is, their government (if they governed themselves) would probably not be equal to what our government of ourselves at home is; at least it would not be as good in our estimation according to our views of such things. But none of these things touch the matter of self-government.

There is no question at all in the mind of any intelligent person who has had an opportunity to study things here on the ground and has done so, but that these people are capable of self-government, and a thousand times more capable to govern themselves than we are to govern them. We are simply not capable of governing them at all. We can not understand them nor they us. We can govern the people of Canada, or of England, or Germany, or Denmark, or Norway, or Sweden, or we could cut off the States of New York, Kentucky, and California and make provinces of them and govern them. We could do these things because it is possible for us to understand all these peoples. They belong to the same civilization with us. We know that we could cut off States this way and govern them, because we have done it. You remember the reconstruction days. The South was governed that way then, and a great many people who think that God has appointed McKinley as His agent to kill off a portion of these people over here and govern the rest, think (and say) that the Southern States ought to be governed that way yet. I have heard it said a number of times within the last year.

A good many officers over here have concluded that these people are not capable of being governed by Americans—which, as above indicated, I also think is true—and, having come to this conclusion, these officers think that we should change the war into a war of extermination, and wipe them clear off of the face of the earth. You would be surprised at the number of officers in the islands who think the Americans should show no quarter, but should kill men, women, and children, and burn houses without limit, and that the sooner we wipe out the whole race the better. And you would also be surprised to know of the amount of the work of that character that has really been done and is yet being done. * * *

* * * We know that these people can govern themselves, because they have done so. The Aguinaldo governments stood for a year and a half in a majority of the provinces, cities, pueblos, etc., and for two years in some of them, before they were destroyed by the advance of our army; and they were entirely successful, whenever I have been able to learn the facts. Under the Aguinaldo government they had, or rather that government included, governments corresponding in a sense to our State, county, and city governments, etc.; and those, or at least the most of them, have been destroyed by our people; and in only a very few cases have we replaced them with anything.

Along the northern and eastern coast of the island of Mindanao they had three provinces, where they had in successful operation all the machinery of government, courts, administrative offices, and ministerial officers—everything to meet the wants of a civilized people or community. And this state

of things continued for two years. At the end of that time we got possession there, and at once shut everything down tight, and so it stands, and has stood for nine months, with no visible indication whatever that it will ever be different. Nobody is authorized to make a conveyance; there is no way to protest a note; no possibility of trying any kind of a civil case whatever; no sort of means of administering an estate—nothing, absolutely nothing, to enable the people to attend to the affairs of ordinary civilized life.

And that is not the worst of it. In nearly all cases in these islands the Americans in charge do not know that these things are lacking. It is astounding to see the ignorance of such things among Americans. They do not know that these things are lacking, because they do not know of the things themselves and their uses. Nearly all the Army officers think if you sweep the streets of the towns and make people keep the pigpens away from their houses the people are well governed. The only thing they know of government is bossing, or at best, commanding them. Not one in a thousand has any just conception of government.

No, Judge, these people are now ready for self-government, but will never be capable of being satisfactorily governed by people of the Western civilization. And for the same reason there will never be a time when it would be safe to admit them as States into our Union. * * * And it is also true that we can not govern them as a foreign and subject people without so stultifying ourselves in the matter of our professions of principles of all true government as to endanger our own Government in the course of time. And we can not govern them as well as they can govern themselves. And why do we want to govern them at all? * * * It has always been the policy and practice of the English to represent to the world that the people it is profitable to rob and destroy are ignorant and vicious savages who amount to national nuisances, and a curse to the world, etc., and our nation have evidently made up their minds to adopt that policy and practice—or at least those who "run things" and "do things" have—and therefore it would not be popular to tell the truth about the Filipinos. I could write a book that would be interesting, and that would possibly sell, if I could get my own consent to join the procession, and write about the odd and curious things over here, and so exaggerate these as to make the whole work amount to a tissue of lies. I have not seen anything in print that was other than this, in the form of books, speeches, etc. * * * And official reports have lied for purposes had in view.

Future generations will read in the school histories that we, at this day and time, were either vicious or criminally ignorant. * * * And after all, Judge, what do we want these islands for? Hypocritical cant among a certain class says we want to Christianize and properly civilize these people—they say we want to elevate them without using a halter. But that, of course, is the veriest bosh. A few religious cranks, who are entirely ignorant of the situation, may really think this, but of course no one pays any attention to them, because all sensible people know that that is not it. And then again others have been made to believe that God forced them onto us—that circumstances that our people could not control placed them in our hands. * * * etc. * * * We got them on our hands because we wanted them, and worked to get them there; and it took lots of hard work and scheming, too. And it was not all honest or creditable. * * * Of course, some investors of capital will probably make money out of it. In fact, Army contractors and shipowners have already done so.

But for the common run of American people there is absolutely nothing in it. * * * Nor will the islands serve as an outlet for Americans; furnish homes for people. In the first place, the islands already have more people to the square mile than the United States has, and, besides, they are more mountainous than the Rocky Mountain region of the United States is. That is, not a greater per cent of them is inhabitable by man than there is of the Rocky Mountain region of the United States. In short, they (the habitable portions of them) are much worse overcrowded now by the people that are here than the worst overcrowded State of the Union is by the people there. And white people simply will not live in this latitude. They never have done so in any age of the world, and why will people persist in such nonsense as to suppose that they will do so now or hereafter. I know a great many think that Hongkong is a community of white people, and that there are white people at Shanghai and Singapore, and Penang and Molucca and Java and Sumatra and Sandockan, but they think this because they have not read the authorities.

They only have to read the books of the English to see that the English and Dutch colonies in the Tropics are not colonies at all; they are simply Governments by English and Dutch people of tropical peoples. None of these so-called colonies have white people permanently settled in them, or in them at all, except such as are connected with the army or the government, or acting as agents for commercial companies at home.

In short, the English and Dutch have not migrated to these "colonies" here in the Tropics, notwithstanding they (the colonies) have been maintained for centuries, some of them three centuries. And there are to-day almost no Spanish people at all in the Philippines, and there never have been any except what were connected with the army or the government. Spaniards have never migrated here.

And Americans who produce things could not come here and enter into competition with these people as producers. It is conceded by all that these people can do everything here (except govern their country) better and cheaper than Americans can.

But it is poorly worth while for me to try to give you, in a letter, any idea of the "Philippine situation." It involves too much, and as you say "the Philippine problem will not be settled for a long time." It could be. We could settle it in a year, if we should say to the people to-day "we will treat you as we promised to treat the Cubans." No Filipino asks more; and mighty few of them will ever accept less, either willingly or unwillingly. They talk about the war being over. There is more fighting going on to-day than there has been at any time since the first part, or what may be termed the beginning, of the war; and we have fewer real friends in the islands than we ever had before, and each day sees the number diminish.

Our great misfortune has been in the "caliber" of the men that have been in charge over here, Otis and his outfit of incompetents. There has never been a time when they, in the slightest degree, comprehended any part of the situation here. One thing was that they thought that all they had to do was to whip a Filipino army. It never occurred to them that in doing so they would stir up a Filipino people that would have to be conquered; and they are a people that are practically unconquerable. The main reason that they are practically unconquerable is that their conditions of life are such, and their view of death and small regard for it so peculiar, that the things that would unquestionably conquer any people of the civilization that we understand have practically no effect on them at all. In fact, what would conquer an American people (such as what caused the surrender of the South, for example) only renders them desperate, and sets them to fighting in cold earnest, and without parading themselves and their feats, etc.—only settles them down to the real purpose of hurting their enemy. I have no doubt that we will suppress them some day, and will probably do it three or four times within the next dozen years or so, but we will finally give up the islands. They will show themselves to be unprofitable to our people, and become burdensome to our Government, and we will give them up.

There are three classes of people here—the Mohammedan Malays, called

Moros, the pagan Malays, and the Christian Malays. They are all Malays. It's all folderol to blow around about our having an unknown kind of people to deal with—I mean a people that the world never knew of before. They are simply Malays—a people that have always been known, and always been known to belong to the Oriental civilization, and to be incapable of adopting or accepting and adapting themselves to the Western civilization. The European nations have been controlling more or less of the Malay race right here in this immediate vicinity ever since they (the European nations) became powerful enough to come here and rob them and live off of them. And with them it has long been known and settled that there is no use to try to make "white people" out of them, and that the less they are governed the better off both they and their masters are, and therefore the European nations content themselves with just a little government of them as will enable them to tax them and otherwise get money out of them. They are like a certain distinguished American. They claim to be an instrument of God appointed to do that much.

*** It is, as I said before, simply astounding to see the density, and volume, and weight, and height, and breadth, and depth, and force of the ignorance of civil government affairs that fills the hide of the average Army officer. And it is not confined to officers of low rank. In fact, Otis is a shining example. For instance, he issued general provisions for establishing provincial, and city, and town governments, and all the governments established by the Americans have been established under them. His provisions describe in detail what the governments shall consist of, and how they shall be established, and in the whole scheme courts are not mentioned or referred to, nor is any other sort of judicial body provided for. There is no provision made for any means of trying cases, except, of course, that the Army has a provost court, and it has criminal jurisdiction only. Nor is any provision made for the execution of deeds or wills, or other instruments that need to be proved by official certificate of acknowledgment, etc. Yet the Spanish law is declared (by Otis) to be the law of the land, and it prescribes that deeds and wills and all other instruments shall be executed in a particular manner; and the scheme of government does not provide for the officer—a notary—that can perform the necessary acts, or give power to any other officer to do so. Some notaries have been appointed in Manila, but it was done in response to urgent petitioning of the localities that needed them; and a few courts have been established in the same way.

The point that I am making is that so little is known about civil government among the authorities that they do not know that a judiciary is absolutely necessary to complete any system. Nothing but executive and ministerial officers ever occurs to them—somebody to boss and command, as in the army. *** The Aguinaldo governments of provinces and towns, etc., torn down by us were a great improvement in form and constituent parts, etc., over the Spanish governments that I do describe. In fact, they are an excellent form of municipal government for a country where the Spanish laws are in force; and it was a disgrace for them to be destroyed by Americans, a liberty-loving (?) people. In my opinion it will be many a day before these people have as good a government over them again—one that will be as satisfactory to them and do them as much good. This was one framed and established by themselves, and they were pleased with it and thought it a good one. And it was a good one. It was effective, and furnished a means for the people to attend to all affairs among themselves that governments are established and maintained for among civilized peoples. And there was actually a state of peace and order in each and every one of their provinces so established from the time they got rid of the Spanish till the day our troops would enter the province; and this was, in some cases, quite a good deal over two years.

*** The American people have evidently made up their minds to ignore all our old-time principles of, or in regard to, the honest and moral and true doctrine of governments among men and human rights in general. They want to rob these people over here now. That is, they think that these people have money and lands, and other things of value, and will produce more wealth in the future, and we want what they have and will have, or as much of it as we can get; and as these old principles and doctrines are in our way to prevent us from taking it at will, we have made up our minds to set them aside and shut our eyes to them. *** Not one man in a thousand in the United States wants to know the truth about things over here. If they were told the truth, and they knew what they were told was true, they would not allow themselves to believe it. They have made up their minds as to what they are going to do, and they are going to do it; and what is more, they are not going to allow themselves to believe anything that would make it very wrong for them to do it. *** In my opinion, there is a day coming when this whole scheme and the policy back of it will be condemned by the whole world, and especially by the American people; and the time will begin to approach rapidly as soon as the people become convinced that there is no money in it for them, and that it is expensive to them besides. ***

Mr. HAY. I yield to the gentleman from Missouri [Mr. COONEY].

Mr. COONEY. Mr. Speaker, Congress, composed practically of the same men now sitting in its two branches, did on the 18th day of April, 1898, pass the following resolution:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

Approved April 20, 1898.

After three years the Republican party now presents its scheme for entering upon the fulfillment of our promise to depart from Cuba, and "leave the government and control of the island to its people." Here is the scheme, attached to the Army bill, and to be forced to passage this afternoon.

That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled, "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to

carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

II.

That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government shall be inadequate.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V.

That the government of Cuba will execute, and as far as necessary extend, the plans already devised or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coal-ing or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

No one knows better than Republicans that this is a scheme to remain and not to depart from Cuba; no one knows better that the demands now made on Cuba is a shallow scheme by which the solemn vow made by the American people over the sacred relics of the ill-fated *Maine* is to be broken, and the most infamous national perfidy is to be committed. Let it be known that these demands upon Cuba's liberty are not made at this time by Congress voluntarily. It has ceased to have a voluntary action. It has sunk to that state of pusillanimity that it now strikes Cuba at the behest of McKinley and a promise of a long vacation.

The story of Cuba is told. No power can save her from the thieves that now hold her by the throat. Spain is dead, but her spirit and her religion, which were her greed and her despotism, have survived and conquered. Her blood in spilling was diffused through Anglo-Saxon veins; the ghosts of her Cortez and Pizarro are re-animated and walk these halls, and the spirit of her Philip dwells in the White House. For years to come we shall boast our honor and glory through press and pulpit, but we shall wait in vain for a single act of the Administration that will distinguish us from the most sordid of nations.

THE PHILIPPINES.

At the last session of Congress the Spooner bill was introduced in the Senate. Its object was to complete the colonial scheme of the Republican party in the Philippines by turning over the future government and control of the islands to the President. It is now attached to this bill, and adds its weight to a measure already burdened with infamy. Knowing it to be unconstitutional, the most conscienceless Republicans are put forward to claim for it a paternity from Thomas Jefferson.

On the 20th of February the gentleman from Ohio [Mr. GROSVENOR] in referring to the manner in which President Jefferson undertook the administration of the Louisiana Territory, said:

And the very language of the law under which Mr. Jefferson took possession of that Territory is to-day embodied almost verbatim in the Spooner bill.

The advocates of the Spooner bill for some time past, both in Congress and through the public print, have been attempting to impress the public mind with the belief that it had good authority and precedent for its passage at this time in the action of the Democratic party in the past; that in its language and the powers conferred the Spooner bill is identical with the law passed by a Democratic Congress in 1803 for the administration of the affairs of the Louisiana territory. Nothing can be further from the truth. I will read both the law of 1803 and the Spooner bill, that they may go into the RECORD together and be judged as to their identity and difference.

LOUISIANA BILL OF 1803.

Until the expiration of the present session of Congress, or unless provision be sooner made for the temporary government of the said territories, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct, for maintaining and protecting the inhabitants of Louisiana in the full enjoyment of their liberty, property, and religion.

PHILIPPINE BILL OF 1901.

When all insurrection * * * shall have been completely suppressed by the military and naval forces of the United States, all military, civil, and judicial powers necessary to govern the said islands shall, until otherwise provided by Congress, be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct, for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion.

The law and the bill are as far apart as the poles. But, clearer than any party platform can make it, they mark and illustrate the difference in action and principle of the two parties. The Louisiana purchase and its inhabitants were never cursed with the badge of servitude and plunder that is promised the Philippines by the Spooner bill.

The Jefferson law was for temporary government; this Spooner bill is for permanent government. The powers conferred by the Jefferson law were to absolutely terminate with the end of the session of Congress that passed the law; those proposed to be conferred by the Spooner bill are to continue without any limitations as to time. The Jefferson law contemplated immediate legislation for the government of the Louisiana territory by Congress itself; this Spooner bill contemplates that there shall be no legislation for the government of the Philippines by Congress.

The Jefferson law gave authority to the President only to administer such government as he found already existing; this Spooner bill gives authority to the President to overthrow any government existing in the Philippines and to establish any government he pleases. If Republicans believe that the Spooner bill is identical with the Jefferson law, let them substitute the latter for the former, and every Democrat will vote for it as cheerfully as Democrats voted for it one hundred years ago.

The Constitution ordained:

All legislative power herein granted shall be vested in a Congress of the United States, and shall consist of a Senate and House of Representatives.

I thought that this was that Congress; but the President has set up a commission in the Philippines, and has made of it his ideal of what a Congress should be. Through that congress he has been legislating and experimenting in civil government for the past two years.

He has claimed this power as Executive of the nation, and he has repeatedly declared that by the exercise of that power he was fast bringing the islands to a condition of peace, protecting life and property, and extending municipal and civil government as fast and as far as the Army extended the sphere of its subjugation. If that is a fact, why not let the President continue his good work under powers that he has declared to be ample and sufficient for the purpose? Why should he now for the first time appeal from his rump congress in Manila to his possum policy Congress here in Washington for a further grant of power? The reasons and inducements for that appeal are to be found in the recent report of the Taft commission made to the President. I will read some of them from that report. A dispatch from the commission to the Administration:

If you approve, ask transmission to proper Senators and Representatives of following: Passage of Spooner bill at present session greatly needed to secure best result from improving conditions. Until its passage no purely central civil government can be established, no public franchises of any kind granted, and no substantial investment of private capital in internal improvements possible. * * *

Sale of public lands and allowance of mining claims impossible until Spooner bill. Hundreds of American miners on ground waiting law to protect claim. More coming. Good element in pacification. Urgently recommend amendment of Spooner bill so that its operation be not postponed until complete suppression of all insurrection.

This report further shows that there are 73,000,000 acres of land in the islands; that scarcely 5,000,000 of them are held in private ownership, and the balance, which is practically all of the islands, are public lands to be disposed of; that these lands are very fertile and most of them naturally irrigated; that there are large forests of the finest timbers, extensive deposits of gold, copper, high-grade iron, and excellent coal, and that there are over a thousand foreign capitalists, promoters, prospectors, and their agents on the ground anxiously waiting for the passage of the Spooner bill that they may make a rush and secure titles to those lands, forests, and minerals. The Spooner bill was misnamed; it should be called "the Sooner bill."

Within the covers of this report there is not another single reason given for the passage of the Spooner bill. That bill does not add one iota to the power that the President now has and exercises that will aid him in the prosecution of the war nor in the establishment of such government as will bring peace and tranquillity to the islands. The bill is nothing more and nothing less than a patent deed conveying to President McKinley the title to the islands and their inhabitants.

I do not care how good a man he is, the islands are not his. He is not the lawful owner of them. They belong to the people. I shall never place the seal of my vote to that conveyance. I am for holding on to the islands. You know, for you have said it repeatedly, that these islands came to us through the hazards of war; that Providence placed them in our hands as a sacred trust; and I am opposed to conveying or transferring them to any prince, power, or potentate, either foreign or domestic.

If the President will return to us the \$20,000,000 we paid for them, and the \$300,000,000 we have spent upon them, and the 10,000 American lives we have sacrificed in them, then I will be in favor of the Spooner bill and willing to transfer the whole archipelago over to President McKinley, washing our hands of the whole business.

It is remarkable that a President of the United States should ask the passage of any law like the Spooner bill; that he should seek to clothe himself with power so great and responsibility so small. Here are franchises and rights and lands and minerals to be given away by the Spooner bill. The commission in this report says there is just enough peace for the President to dispose of all of them and just a little too much war for Congress to exercise its powers of legislation on the subject. And the evidence is that the commission is ready, willing, and able to maintain just that condition of affairs in the islands as long as the President desires it and as long as there is anything left worth giving away.

A remarkable thing contained in this report is the demand of the commission and the greedy vultures assembled in the islands that the Spooner bill be passed now, and not to wait until the war is over. They recognize that if they are compelled to wait until the war is over their chance for plunder will be diminished.

Sir, this is one part of this Philippine business the settlement of which Congress can not pass to the President or other hands without dishonoring itself and subjecting its members to the charge of having shared in the wild orgies of plunder that would inevitably follow. The title to the lands in those islands should be preserved for their own people, to be by them obtained under happier conditions than now exist there, and under laws and rules that are clearly defined and justly made by Congress.

Neither under American nor Spanish rule have these people ever had the opportunity to acquire peaceable and permanent titles to anything in their own country, and it will be inhuman and monstrous to undertake to dispose of everything of value in the islands in the very midst of war, when even those who are friendly to our Government will be prevented by the prevailing excitement, fear, and lack of information from taking advantage of such an opportunity.

It is true that the Spooner bill as amended and attached to this bill in the Senate is shorn of the power to dispose of the lands in the Philippines, but everyone knows that another Congress will restore that power. That is the power McKinley has asked and demanded, and he will have it. We are now passing a law which absolutely transfers to him the sole government and legislation of the Philippines. It can only be taken away from him by the enactment of another law, and as he has the vetoing of any such a measure, it will be absolutely impossible for this or subsequent Congresses to take that power away from him.

Legislation on the lands, mines, rights, and franchises will in the meantime become necessary for the progress of the islands. Who is to do that legislation? We can yet answer, "Congress;" but when an hour shall have passed, and the roll shall have been called, and the last Republican shall have come forward, mean spirited, guilty looking, and abdicates the proud position of an American Representative, while he hangs on to its emoluments, then there will be no power left to wrench that prerogative from McKinley nor to prevent him from giving the islands over to be sacked by his personal friends.

Nor all that heralds rake from coffin'd clay,
Nor florid prose, nor homed lies of rhyme,
Can blazon evil deeds, or consecrate this crime.

Mr. HAY. Mr. Speaker, of course in the time which has been allowed us by the majority of this House it is impossible for any member to discuss this measure on its merits. We can only enter our protest, and that I solemnly do. It seems that gentlemen on the other side of the Chamber can only defend this measure by citing Democratic precedents which they themselves say they do not believe in. They are not willing even to accept the precedents which they cite.

Mr. Speaker, the time will come when these gentlemen will regret that they have muzzled the representatives of the people upon this floor on questions which are the most important which have been debated in this House for many, many years; and they will repent the haste with which they are hurrying through this House a bill dealing with policies which involve the future fortunes of the Republic. [Applause.]

Mr. SULZER. I yield to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, the gentleman from Michigan

[Mr. CORLISS], with unusual frankness, has helped to clear the atmosphere of this debate. He says that under the stress of excitement in the early days of the Spanish war he voted to give to the people of Cuba the right to govern themselves. But now that his mind has recovered its usual calm—and now, being inspired, no doubt, by a knowledge of the fact that the lands of Cuba are fertile and opportunities to exploit the island abundant—he repents that decent and honest vote and hopes that the troops of the United States will not be withdrawn and that our sacred pledge will not be kept. He frankly speaks what is in the minds of the majority of his political associates.

The language of that resolution is so plain that the wayfarer, though a fool, can not fail to understand it. There are two very conspicuous features of the resolution to which, for a moment, I wish to invite your attention. The opening sentence declares that "the people of the island of Cuba are, and of right ought to be, free and independent."

It does not say that they shall be semi-independent or in a state of vassalage, but that they shall be independent. Now what does that mean, Mr. Speaker? It does not mean that Cuba shall be to the United States what India is to England or Java to the Netherlands. To be a free and independent nation is to occupy, in respect to other nations, the same relative position that Russia has to Germany or France to England.

In some countries the hand of tyranny presses less harshly than in others. But there are no gradations in liberty. Either the people of a country are free or they are not free.

We declared that the people of Cuba were free, unconditionally free. That resolution was an honor to the Congress which passed it, and God forbid that we should now dishonor it as these new resolutions propose to do, and as I fear we are about to do. We wrote one chapter of shame into the history of our country when we betrayed a trusting people and repudiated an ally. We are now about to repeat in Cuba the shameful and despotic thing which we did in the Philippines. And what did those resolutions say about our duty and our programme in Cuba?

It declared—

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

Do you remember how the nations of Europe sneered when we passed that resolution?

Do you not remember that they, with a frankness which bordered on rudeness, said that we were lying, and that behind our high-sounding phrases there lurked a lust for land and gold which would keep the American soldier in the Philippines and the West Indies? And the pity of it is that their sneers were founded in a knowledge of the situation.

Is it not preposterous to say that we are living up to either the spirit or the letter of those resolutions?

We specifically disclaimed any disposition or intention to exercise sovereignty, jurisdiction, or control in Cuba.

Now, among the inherent rights of sovereignty is that of making treaties. By the resolution attached to this Army appropriation bill we deny that right to Cuba. Another of the attributes of sovereignty is the right of any people to control their own schemes of taxation and expenditures. Here again we propose to cheat the Cubans of the essence of independence. These new resolutions, only a degree less infamous than our behavior in the Philippines, set up a new territorial claim, Mr. Speaker.

There is not a schoolboy in the country who has studied the geography of the West Indies who does not know that the Isle of Pines is as much a part of Cuba as the island of Galveston is a part of the State of Texas. And yet we seek now, with dishonest cunning which is a disgrace to the country, to set up a claim to the Isle of Pines. Step by step in this career of despotism and dishonesty we are justifying the sneers of Europe. It seems that no promise is so sacred, no pledge so solemn, that it may not be broken.

Why is this, Mr. Speaker? Have the American people lost all sympathy with liberty? Do they no longer revere the precepts of the Revolutionary days? Alas! sir, it is due to greed. The love of money, which is the root of all evil, has chilled the blood of our people and dulled their sense of honor. Commercialism has taken the place of patriotism, and when any new scheme is proposed, no one asks, "Is it right; will it reflect credit upon our country; will it promote human liberty and human happiness?" but, "Will it pay?"

We denied an alliance and destroyed a republic in the Philippines because the forests of those unhappy islands contain valuable timbers and their mountains are reputed to hide gold. We now repudiate a solemn covenant with God and the world and will take and retain Cuba because in her pleasant valleys our capitalists can grow the most fragrant tobacco in the world and secure the extravagant returns from sugar plantations. Quite recently the Taft Commission gave as one of the reasons why

civil government should be promptly established in the Philippines the desire to gratify the demand for franchises.

With the Republican party the opportunity to grant a franchise is esteemed a higher privilege than the chance to set up a free government or to promote liberty.

Should it ever be called upon to write a new Bill of Rights that party will, I do not doubt, forget the existence of men as men, and devote itself to the guardianship of the rights of corporations. Unless it may be considered already to have a de facto corporate existence, it should, by all means, go to New Jersey and have its syndicated, dividend-hunting, liberty-crushing nature formally recognized.

The Army has ever been the instrument of despotism. It is fitting, then, that this assault upon the rights of the Cubans should come as it has in the way of an amendment to the Army appropriation bill. The association is suggestive. I print now the Teller resolution.

[Public resolution—No. 21.]

Joint resolution for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Whereas the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 236 of its officers and crew, while on a friendly visit in the harbor of Habana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people. Approved, April 20, 1898.

Mr. SULZER. I yield to the gentleman from Massachusetts [Mr. THAYER].

Mr. THAYER. Mr. Speaker, let the country take notice that the Republican majority here in Congress has deprived the Democracy of the opportunity of properly discussing this question, which is attracting public attention all over the country.

Being deprived of the privilege of showing how at variance this bill is with our promise to the Cubans, I content myself with placing before the House and the country the advance sentiment of Republicanism in a Republican legislature in a Republican State, as embodied in the following resolutions, which I clipped from the North American, a Republican paper in another Republican State. These resolutions show the trend of public sentiment even in Republican circles. I hope no Democrat on this side will take offense to my reading these resolutions:

TOPEKA, KANS., February 24.

Senator Thomas Nottseger and F. Dumont Smith, Republican floor leaders, have drafted the concurrent resolution providing for final adjournment of the legislature. The resolution will be introduced to-morrow.

It is very unique, and doubtless its wording will be strongly objected to by the Democrats and Populists in the legislature. However, the Republican majority in both branches is very large, and it will be adopted. The resolution follows:

"Whereas William I, formerly William McKinley, is to be crowned as emperor of the United States of America, Porto Rico, and Hawaii, king of the Philippine Islands and Alaska, protector of the Ladrões, and prince of Guam on Monday, March 4, 1901; and

"Whereas this nation will cease to be a republic on said date, and will become a military despotism; and

"Whereas a legislature elected by the people has no part, place, function, or office under said empire: Therefore, be it

Resolved by the senate (the house concurring therein), That this legislature shall conclude its business, wind up its affairs, and adjourn sine die before noon of said March 4, 1901; and be it further

Resolved, That we assure His Most Gracious Majesty hereby that all acts and resolutions of this legislature are subject to his royal will to approve or set aside, as to him seemeth best, and we, his loyal subjects, do hereby desire to testify our loyalty to His Most Gracious Majesty William I."

[Here the hammer fell.]

Mr. SULZER. Mr. Speaker, I yield to the gentleman from Virginia [Mr. OTEY].

Mr. OTEY, after addressing the Chair, stood silent for several moments and looking at his watch, and then said: My time has expired. [Laughter.]

The SPEAKER pro tempore. The time of the gentleman has expired. [Renewed laughter.]

Mr. SULZER. I yield to the gentleman from Pennsylvania [Mr. GREEN].

Mr. GREEN of Pennsylvania. Mr. Speaker, destructive though this measure may be to Philippine freedom, threatening though

the hour of its passage may be to Cuban independence, menacing though it be to the constitutional rights and liberties of the free men of the United States, a bright lining appears on the ominous dark cloud, for the enactment of these amendments so hurriedly grafted upon this appropriation measure marks the rejuvenation of a united, aggressive, and a triumphant Democratic party.

Within its organization will be welcomed all our citizens who believe in maintaining in its integrity the Government which came down to us from the fathers of the Republic, and under which we have reached the high-water mark of progress, reputation, and material development.

Mr. SULZER. I yield to the gentleman from Illinois [Mr. WILLIAM E. WILLIAMS].

Mr. WILLIAM E. WILLIAMS. Mr. Speaker, I feel duly grateful for the courtesy shown me by the House in according me a portion of the brief time allotted for the discussion of this bill, and will avail myself of this final opportunity to pay my respects to the Administration and the political issues it has engendered. This is the closing day of the Fifty-sixth Congress, which will go into history famous for the good it has avoided and the evil it has accomplished. It has been my fortune, good or bad, to participate in a negative way in all that has been done, and after resumming my part I can truthfully say that I have cast no vote which I feel ashamed of or for which I have been called upon to apologize. I have protested by speech and vote against the objectionable legislation which has been enacted, but I have found the majority at all times merciless in their intolerance, heedless of our warnings, and deaf to our protests.

Responsibility is largely measured by opportunity, and with its limited opportunities and the utter helplessness of the minority under the arbitrary rules of the House more could not be expected of this side of the Chamber or of a new member, and in taking my leave of this body after so brief a service I am reminded of the inscription on the gravestone of the 6-weeks-old infant:

I was so quickly done for,
I wonder what I was begun for.

It seems to me that this would be an opportune time to review some of the issues of the late campaign and see whether or not all that we predicted has not been confirmed. Three great issues were presented representing cardinal principles of the Democratic party. We denounced the single gold standard and proclaimed our allegiance to the ancient and righteous principle of bimetalism. We arraigned the trusts and charged the Republican party with being in league with them, pledged to afford the people no remedy against their rapacity.

We warned the public against the dangers of imperialism, so manifest in the policy of the Administration relative to Cuba and the Philippines and lurking in the very shadow of the Republican platform. These questions have not been settled, but are living issues, and, like Banquo's ghost, will come up to haunt the Republican party in the future. The country, basking in the sunshine of general prosperity, which came inevitably in the course of things, not by reason of the Republican Administration, but in spite of it, was loth to disturb existing conditions, was content to let well enough alone, and assumed the risk of arresting in the future the tendency toward imperialism rather than run the risk of unsettling business conditions, which always attends as an incident to the change of Administrations.

Do not deceive yourselves, my friends, the people have not approved your policy of imperialism, and when that question shall be fairly presented, unhampered and uncomplicated by individual necessity and temporary expediency, the voice of the American people will be heard in one triumphant acclaim against the infamous policy which you have so assiduously endeavored to fasten upon the country. The theory of bimetalism has been vindicated by events, which may be misleading now, but which will be fully understood and appreciated in the future. Bimetalism means more standard, more basic money, the necessity of which was admitted prior to the phenomenal increase in the production of gold in Alaska, which, in the light of history, can be only temporary. This increase in the output of gold has supplied the place of silver for the time being and brought relief and prosperity to the country.

The production of gold last year was more than double that of both gold and silver in 1896, when the money question so intensely challenged the attention of the world. Let us hope that this enormous output will indefinitely continue, but if not, beware of silver's demand for restoration as standard money. Good times and bad times alternate as day and night, as sunshine and shadow, as the hill and the valley. We are now enjoying the high tide of day, the sunshine upon the hill crest; but as we scan the horizon we see the ominous gathering of financial clouds and hear the awful rumbling of a commercial storm. I have often heard it predicted of late that the strenuous commercial conditions prevailing throughout this country at no late day will reach a climax and culminate in the most distressing and far-reaching panic the

world has ever known. I pray that this cup may pass, but unless something is done soon to curb the avarice and the rapacity of commercial greed we will awake some day to find our worst hopes realized and our country in the throes of chaos and anarchy.

I am no pessimist; I am an optimist; and trusting and believing in the wisdom, the intelligence, and the infallibility of the American people, I know a remedy will be found ere it is too late. No hope can be indulged during the incoming Administration. President McKinley and his party are wedded to the commercial interests; are controlled and dominated by those influences, and will continue to foster and encourage them in the future as they have in the past. The trusts will continue to feed and fatten upon the vitals of the people; monopoly will continue to absorb the resources of the country, and commercial cupidity and greed will continue to hold high carnival, enforcing extension, exacting tribute, and demanding subsidy at the hands of a puny Administration and a servile Congress.

What has become of your boasted promises to suppress the trust evil? You have full power—you have the Executive and both branches of Congress—why does not the Senate pass the anti-trust bill which passed this House last session for campaign purposes, as we then charged and you now confess? In a speech upon this floor last May I said the Republican party did not intend to pass any measure designed to suppress the trust evil. I then used this language:

The only excuse and justification claimed for the Philippine war is that it will extend American trade and commerce, all at the instance of the great trusts and monopolies which are sapping the life-blood of our nation—and right here permit me to digress long enough to inquire why no anti-trust legislation has been enacted by this Congress. Why has every bill introduced for the suppression of these gigantic and monstrous evils been suppressed by the majority? I understand you have introduced a constitutional amendment of some kind; but that was done, I venture to say, for the purpose of tiding the question over the Presidential election. You do not intend to legislate against the trusts, and your amendment is only an excuse and a makeshift. You intend to rely upon platform promises rather than performance, when you have the present power and opportunity.

Tell me, has not the prediction I then made been fulfilled? Answer me, was that bill passed for the purposes of the campaign only? Were you in good faith, or were you merely exploiting your pretenses for the purpose of hoodwinking and cajoling the people into voting to continue your reign of plunder and robbery?

Let me call your attention to the fact that both the Democratic and the Republican platforms last campaign declared against the trusts. The Republican platform proposed some vague, uncertain, and indefinite remedy against this evil. I would invite you, gentlemen of both the Democratic and Republican parties, to read the Republican platform and its friendly allusion to the trusts. It does not pain me to say that the Republican platform against trusts is insincere and was not adopted with a view to its enforcement in the case of Mr. McKinley's reelection, and was not intended to commit the leaders in the Republican party to the enforcement of existing anti-trust laws or the enactment of new laws to suppress the trust evil.

Recently when standing upon the platform of a car, the porter came to me and gently tapped me upon the shoulder and said, "Mister, you must not stand upon this platform." I said, "Sir, what is this platform for?" and he replied, "This platform, Mister, is to get in on, sir." I never fully understood the full purport and meaning of that definition of a platform or what a platform was really intended for until I reread the declaration or plank in the Republican platform against trusts, and then I discovered for the first time the full purport and meaning of a political platform, especially a Republican platform, that they are not made to stand on, but made to "get in on."

When Republican spellbinders during the campaign went about the country telling the people they undertook to provide a remedy against the trust evil last session of Congress by a constitutional amendment, and that they were defeated in their project by the Democratic minority, they no doubt deceived many and left the impression that the proposed amendment was necessary, and that the Democratic minority in Congress was hostile to all legislation against the trust evil.

Let me read that amendment, and then point out the objections to it which induced almost the whole of the Democratic minority in Congress to vote against it. Here it is:

Congress shall have power to define, regulate, control, prohibit, or dissolve trusts, monopolies, or combinations, whether existing in the form of a corporation or otherwise. The several States may continue to exercise such power in any manner not in conflict with the laws of the United States.

I assume that Congress already has ample power and authority to suppress all trusts doing an interstate business and that a constitutional amendment is wholly unnecessary. Trusts are foreign or domestic; that is, those which do a business wholly within the bounds of a single State—the State of their origin—and trusts which do an interstate business. Every State legislature has ample and full power to suppress every local or domestic trust doing business wholly in the State of its origin, and the Federal Congress has no power to interfere with any such trust, monopoly, or combination, and should have none. We desire that the several

States of the Union shall continue to exercise that power; that they shall not be limited or prescribed in the power which they may exercise toward the suppression of all local and domestic trusts, monopolies, and combinations; that no restriction of Congress, that no definition of a trust, that no regulation or control of trusts which Congress may see fit to adopt shall abridge or interfere with the right of the State of Illinois or any other State to protect itself against any local or domestic concern of that character.

I assert that Congress already has ample and sufficient power to protect the several States of the Union against a trust, monopoly, or combination existing or incorporated in another State and to prevent it from doing business outside of the State of its origin, and that a constitutional amendment is wholly unnecessary to afford Federal interference and relief against this evil.

Let me call your attention to the wording of the proposed amendment. It provided that "Congress shall have power to define trusts, monopolies, or combinations." Now, if Congress should have the power to define a trust, it could place upon these combinations in restraint of trade a very liberal or a very strict definition, and, influenced by trust agents and lobbyists, could so define the trust that even the Standard Oil Company would not come within its definition, and every State legislature would be prescribed, limited, and bound by the definition, for by the very terms of the amendment the States could act only in harmony and not in conflict with the law of Congress, thereby depriving the people of any and all remedy by means of State legislation against a most iniquitous evil.

It provides that the States shall not exercise such power—that is, the power to define, to regulate, to control, to prohibit, or to dissolve trusts—except that they do so in compliance with the laws prescribed by Congress. And hence if the Congress should so define a trust as to permit all combinations of capital organized for the purpose of limiting production and arbitrarily fixing prices to continue to do business, the States would be powerless to exercise a remedy against that character of combinations, whether they are domestic or foreign, and would be wholly without a remedy, because the States would be limited to the remedy afforded the people by the definition placed upon trusts by this body. The result would be to abridge the power of the States, to make State legislatures wholly subservient to the will of Congress and subject to the definition placed upon trusts by the Congress, and to deny the people any other remedy than that which Congress would see fit to afford against the trust evil. The only remedy heretofore afforded against trusts has been through the several State legislatures, and we insist that the power to enact and enforce anti-trust laws shall not be abridged or denied to the States, but that the States shall continue to exercise unrestricted power concurrent with Federal authority and not be subject to any limitations or restrictions of Congress.

The Republican party are under obligations to the trusts. They receive contributions for campaign purposes from these unlawful combinations. The Republican party is said to be always true to its friends; true to its obligations. I must confess the Republican party was never known to betray a trust. And they will not be so ungrateful in the next four years to come as to prosecute their best friends, the men who furnish them the money by which they hope to corrupt the ballot box; they will not be so ungrateful to MARK HANNA and his friends as to put a straw in the way of the trusts.

I want to go a step further. I would impress upon your minds that we are involved in complications growing out of the acquisition of the Philippine Islands by reason of the demand made by the trusts, by monopoly, and by commercial greed. The negotiations for the Philippine Islands and their acquisition was demanded by the trusts that they might have a new field to exploit, and insist that the whole people of the United States shall maintain a standing Army; shall be compelled to support the Government in its policy of imperialism and militarism that commercial greed may reap a harvest. By reason of this demand upon the part of the trusts, the Administration, controlled and dominated by MARK HANNA, and men of his character, negotiated for the Philippine Islands and paid \$20,000,000 for their cession to the United States.

I have often been asked the difference between Thomas Jefferson expansion and McKinley imperialism. Let me define the difference. When Thomas Jefferson negotiated for the Louisiana Territory, it embraced the mouth and the whole western bank of the Mississippi River. Mr. Jefferson knew it was safer to acquire the Louisiana Territory that we might avoid foreign complications and future wars. He negotiated for the Louisiana Territory that we might control the Mississippi River, its tributaries, and its mouth. Remember that when we secured all that vast domain known as the Louisiana Territory it was vacant, unoccupied, and practically uninhabited territory. It lay at our very door, inviting the footsteps and the ax of civilization. When we acquired that

territory, Mr. Jefferson required that there should be incorporated in the treaty ceding it to the United States this declaration: "That the future inhabitants of the Louisiana Territory should be citizens of the United States." That was not imperialism. That was not creating colonies. That was not profaning the Constitution, defiling the Declaration of Independence, or prostituting the American flag, but was a wise provision for the extension of the Constitution and the blessings of free government and free institutions to all that vast expanse of vacant territory to be occupied by our own people and to be erected into States of the American Union, extending the blessings of free government from the Mississippi River to the Pacific Ocean.

Contrast that, if you please, with McKinley imperialism. When we acquired the Philippine Islands they were not necessary to avoid foreign complications or future wars, but were calculated, as results have shown, to involve us in the very character of wars and complications which we sought to avoid, and in fact have avoided, by the Louisiana purchase. They were not contiguous territory, but lay 8,000 miles across the sea. They were not vacant, unoccupied, and uninhabited territory, but were populated more densely than any rural portion of the United States. Populated by a people alien in race, alien in color, alien in religion, alien in tongue, alien in customs and education, alien in all that ought to be common between the citizens of the same republic. But that is not all. Let me impress upon the minds of my Republican friends that the treaty ceding the Philippine Islands to the United States does not provide that the inhabitants shall be citizens of the United States, but it does provide "that the civil rights and political status of the inhabitants of the Philippine Islands shall be determined by Congress."

If we keep the Philippine Islands, we must determine in what capacity we will retain them. When Congress determines their civil rights and their political status, it will determine whether they shall be citizens of the United States or whether they shall be subjects. If you make them citizens, you will confer upon them all the constitutional privileges, all the rights and all the blessings of free government which you yourselves enjoy. There can be no distinction between American citizens, whatever their race, color, or previous condition of servitude. Every American citizen is entitled to the same privileges, the same rights, the same immunities under the American flag the world over. You can not discriminate between them. If you make the people of the Philippine Islands citizens, you give to them all the privileges which you and your children possess and enjoy. You must admit the products of those islands free of duty to our markets in competition with the products of the American farm and factory. You must give them representation in the Congress of the United States, that there shall be no taxation without representation. You must give them a voice in the government, that we may not impose upon them a government against their consent, in violation of the plain letter of the Declaration of Independence. You must erect them into States of the American Union. You must admit the brown men of the Philippine Islands into your home, into your political society, into your business affairs with the same rights that you yourselves possess and enjoy. You must tear down the Chinese-exclusion act and admit the pauper labor of the Philippine Islands in competition with the free labor of the United States. Are you now ready—are you prepared—are you willing to make the brown men of the Philippine Islands citizens of the United States?

If you do not make them citizens you must make them subjects. Subjects of a free Republic; denying them the Constitution of the United States; imposing upon them a government without their consent; enforcing the payment of taxes without representation. To make them subjects you must maintain a standing army, that you may enforce your government without consent and taxation without representation at the point of the bayonet.

There are but two kinds of government—government by consent and government by force. Government by force is imperialism. Government against will and sustained by military authority is foreign to the institutions of the United States and in violation of constitutional rights. When Mr. McKinley was first elected President our standing army was but 25,000 men. After the Spanish war had closed, after victory upon sea and land, adding renown and luster to the American Army and Navy; after the volunteer soldier had returned to his peaceful pursuits and when no war was imminent in the Philippine Islands, Mr. McKinley asked Congress to give him authority to increase the standing Army to 100,000 men. Why? That the Republican policy of government by brute force might be extended to the Philippine Islands. That an army might be in readiness to hold these people in subjection. That they might be governed as England sought to govern the thirteen American colonies prior to the American Revolution. Not only that, the trusts and the combinations in the United States demanded an increase in our standing Army that they might feel more secure in the possession and enjoyment of their ill-gotten gains; that a standing army might be stationed at

every industrial center to enforce government by injunction, and to awe and deter and bulldoze union labor and the American workman.

To make them citizens of the United States is to endanger our civilization. To make them subjects endangers our form of government, because it is a departure from the principles which have guided us to prosperity in the years that have passed. Let me call your attention to what ex-President Harrison has said. At the time of the Porto Rico tariff bill discussion in this House, when it was proposed to tax the Porto Ricans without representation, in violation of the Constitution, which requires that taxation shall be uniform throughout the United States, Mr. Harrison said: "I regard it a serious departure from right principles."

I do not stand here appealing in behalf of the brown men of the Philippine Islands. They are a matter of small consequence to you and to me as compared with the future of our country and of posterity. All humanity sympathizes with them, but my heart bleeds for my own country and for my own fellow-citizens. Extend to them a policy such as proposed by Mr. McKinley, a colonial policy after the style of England; impose upon other people a government by force, sustained by the military power; create colonies; recognize government by brute force, and you have taken not only the first but an irretrievable step in the direction of imperialism; not only threatening the liberties of other people, not only depriving the brown men of the Philippine Islands of their rights and of their liberty, but in the end jeopardizing and threatening the liberty, the institutions of our own country. You can not extend despotic power to other people without in the near future the seed you plant returning to curse you at home, and it is for and on behalf of our own country and our own people that I plead against that departure from our form of government under which we have grown prosperous and great.

I am opposed to a large standing army because it begets a spirit of intolerance and of tyranny at home and abroad. I am opposed to maintaining an army of 70,000 men in the Philippines to crush the spirit of liberty and the germs of free government there. The volunteer soldier is a republic's best defender. The mercenary soldier is a machine, while the volunteer soldier fights for a principle and dies for a just cause. I am opposed to a large standing army, not only because it tends to subvert free institutions, but because of the enormous expense entailed. Our Republican friends, drunk upon the lust of empire and imbued with the spirit of conquest and commercial aggrandizement, propose by this bill to maintain an army of 100,000 men at an expense of \$170,000,000 a year. During the last year of Mr. Cleveland's Administration the total cost of our Army was but \$23,000,000 a year, and now it is proposed to appropriate seven times that amount for the ensuing year. We were told during the campaign that Mr. McKinley's election would witness immediate cessation of hostilities in the Philippine Islands. If the war is over, why the necessity of increasing the Army? Why this immense expenditure of money?

I submit the following estimate of the costs of our Army and Navy, including pensions, for the year 1891 as compared with that of Great Britain, France, Germany, and Russia:

	Army.	Navy.	Pensions.	Total.
United States, 1901.....	\$170,000,000	\$78,000,000	\$144,000,000	\$392,000,000
Great Britain.....	115,000,000	135,000,000	15,000,000	265,000,000
France.....	127,000,000	57,000,000	26,000,000	210,000,000
Germany.....	127,000,000	15,500,000	15,000,000	157,500,000
Russia.....	147,000,000	34,000,000	19,000,000	200,000,000
United States, 1895.....	23,000,000	25,000,000	151,000,000	199,000,000

Let me warn our Republican friends against the extravagance in public expenditures which has characterized the McKinley Administration. Whatever may be the fundamental issues in the next general election, whether it be bimetallism, trusts, or imperialism, one you must meet will be willful extravagance and corruption. The watchword of 1904 will be "retrenchment and reform."

Let me contrast the expenditures of the Cleveland Administration with that of the McKinley Administration. I would invite your attention to these figures:

Year.	Amount.	Per cent.
1893.....	\$383,477,954.40	5.78
1894.....	367,525,279.83	5.43
1895.....	356,195,298.29	5.16
1896.....	352,179,446.08	5.01
1897.....	365,774,159.57	5.11
1898.....	443,368,582.80	6.97
1899.....	605,072,179.85	8.14
1900.....	487,713,791.71	6.39
1900-1902 (estimated).....	1,500,000,000.00	20

For the purpose of avoiding an extra session the Senate has seen fit to extend certain powers to the President in relation to the Cuban situation which are greater than that exercised by any sovereign upon the earth, and yet we are told that imperialism is a myth and a fraud.

I am opposed to this bill not only because it begets a spirit of intolerance and tyranny; not only because of enormous expense of maintaining a large standing army; not only because it may and will be used as an engine of oppression in the Philippine Islands, but because it is a violation of the solemn pledge given Cuba and the world in the following resolution of Congress when war was declared against Spain. I will read it:

That the people of the island of Cuba are, and of right ought to be, free and independent, and that the Government of the United States hereby recognizes the republic of Cuba as the true and lawful government of that island, * * * hereby disclaiming any disposition or intention to exercise sovereignty, jurisdiction, or control over said islands except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

By this bill the United States seeks to exercise sovereignty and jurisdiction over the island of Cuba and absolute control of its foreign relations. The sacred words of that resolution, borrowed from the Declaration of Independence, are no guaranty against its violation by the Republican party, and the country is about to witness another act of perfidy on the part of Congress by the passage of this bill that will go far to convince the world that our boasted love of freedom and independence is but a sham and a fraud.

Mr. SULZER. I yield to the gentleman from Pennsylvania [Mr. BARBER].

Mr. BARBER. Mr. Speaker, I simply desire an opportunity to incorporate in the RECORD a statement showing the balance sheet of our account with the Philippine Islands during the two years since their acquisition, taken from an editorial in the Evening Post (New York):

To-day marks the completion of two years since the ratification of the treaty of Paris enabled President McKinley to add certain "gems and glories of the tropic seas," as he proudly called them, to the national domain. Americans are a thrifty and prudent people, unless all proverbs lie, and should be ready to strike a balance of our Philippine business up to date. The first account would relate purely to the money investment and the return thus far had, and would stand as follows:

William McKinley in account with the United States.		
Dr.		Cr.
To 1 archipelago.....	\$20,000,000	By 2 years' ex-
To benevolently assimilating the same,		ports to Philip-
730 days, at \$750,000 a day.....	547,000,000	pines, say \$3,-
To expenses able negotiators Paris		200,000, profit
treaty.....	222,000	on which, at 12
To 2 islands which able negotiators		per cent, is.....
thought they had bought.....	100,000	\$384,000
	567,322,000	
	884,000	
Profit and loss.....	566,938,000	

Evidently "there are millions in" the islands; but they are so far "in" that it may be doubted if we ever get them out.

Charles Sumner said that President Grant's scheme to annex San Domingo was but a plan to "buy a bloody lawsuit." President McKinley bought of Spain a still bloodier insurrection. The cost of the islands in terms of flesh and blood and misery should furnish the next page of our Philippine account. But here it is hard to be exact. We know, it is true, that 711 American soldiers have been killed outright in the Philippines; that 446 have died of wounds and 2,184 of disease; but no figures can set forth the story of ruined health, crippled bodies, and maimed lives which always lies behind the official returns of casualties.

Then where are we to reckon in the 30,000 Filipinos whose lives have been taken? Are they a set-off to our own losses? But they are subjects of the United States, and the Supreme Court may decide that they are our fellow-citizens. However, we will be generous and allow the imperialists to put the slaughtered Filipinos on the credit side of the account. We will also give them the slain or starved women and children, the looted homes, the smoking towns, the waste fields. It is hard to see just where the pecuniary or moral profit of all this comes in, but, such as it is, the imperialists are entitled to it.

A correct Philippine balance sheet would also show the respective profit and loss in the moral and political sphere. Figures and values can not, in this part of the statement, be sharply defined; but the two sides of the account would stand something like this:

LOSS.	GAIN.
Confidence and admiration of oppressed peoples.	Applause of arbitrary and oppressive rulers.
Gratitude of struggling republics.	Thanks of republic destroyers.
Watchwords of liberty.	Shibboleths of Empire.
Peaceful expansion.	Criminal aggression.
Ideals of the fathers.	Toys of the nursery.
Reverence for the Constitution.	Trust in force.
The party of moral ideas.	The party of the pocketbook.

Again we leave it to the imperialists to say on which side the balance is. From what we know of them we are sure, however, that, as Thomas Fuller always made the praise and glory of God come out in the conclusion, no matter what his premises, so they can infer glory and greatness and goodness where others are able to see only shame and contempt.

Any prudent business concern "writes off for depreciation," or wear and tear of plant, from time to time. We are bound to do the same in looking into the actual status of our Philippine investment. One of our most valuable pieces of machinery, for example, "the consent of the governed," is hopelessly rusted and broken down. We can never use it again and should strike it from our list of assets.

It is obvious, too, that we shall have to get something to put in the place of the old Constitution, which is plainly obsolete. "No taxation without representation" has served us long; but the really up-to-date Government plants

have now introduced "Tax according to your own sweet will" in its place, and we shall have to adopt that style. Our stock of national consistency and good faith is clearly so much depreciated that it would not be honest book-keeping to carry it any longer at par. On the other hand, our stock of false pretenses, hypocritical professions, and silly boasting has been enormously increased by two years in the Philippines, and if we can only get the world to take it at its nominal value, we may yet be able to lift our eyes from the ground and look the nations in the face again.

Mr. SULZER. Mr. Speaker, I ask the gentleman on the other side of the House to use some of his time now.

Mr. HULL. How much time have I remaining?

The SPEAKER. Thirty minutes.

Mr. HULL. How much time is there on the other side?

The SPEAKER. Twenty minutes.

Mr. HULL. I suggest that the gentleman on the other side use a little more of his time. Of course, we reserve the right on this side to close. I ask the gentleman from New York to go ahead for a few minutes longer.

Mr. SULZER. I yield to the gentleman from Ohio [Mr. LENTZ].

Mr. LENTZ. I yield to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, with but one beggarly hour upon a side for "debate"—God save the mark!—not the least attention can be given to the great appropriation bill upon which have been ingrafted in the Senate, in brazen disregard of the rules of that body, the amendment to lend the sanction of a degraded Congress to indefinite imperial rule, with the American President as the acting emperor of the Philippines, and that other amendment shamelessly proclaiming the repudiation of our pledge of honor to Cuba and to the world and to all the to-morrows in the history of mankind. In this House, where free speech is stifled and the gag law prevails, where the most that is accorded the representatives of the people, with these tremendous issues pending for the moment and so soon and so slavishly to be settled against liberty and honor and in favor of tyranny and shame, is "leave to print," I avail myself of this poor privilege—all that the enslaved will grant to those whose rights and the rights of whose constituents they wantonly violate—to put into the RECORD a few words, hastily penned, to express, however feebly, my protest and the protest of the liberty-loving people whom I represent (or would represent if my lord, the usurping despot, and his groveling vassals here would permit) against the deep damnation of the foul deed and of the meek servility which attends its execution.

First, a word concerning the thin gauze behind which some may fancy shelter can be found. The bugaboo of an extra session seems to be appalling to certain persons. Why, is it not a fact that all of us are paid by the year, and that our country and our respective constituents are entitled to our legislative services at all times? What right have we to what some gentlemen are pleased to call "our vacation" if there be occasion for the sitting of Congress during a portion of that "vacation" season? And where in the Constitution (if the fathers who made it, after gloriously making it possible by their heroism in battling for liberty upon a thousand bloody fields—if the fathers, bending in pity and shame upon the brink of the shining heights above and looking upon the littleness and recreancy of this hour here below—if they will pardon the reference here to that almost sacred instrument which they gave to their countrymen and to hope and aspiration universal—if they will pardon the reference to their work here among the cringing, shriveled misrepresentatives of a mighty nation)—where in the Constitution is the "vacation" exalted above duty and liberty and honor? There could be no extra session unless the President, against whose election we upon this side of the Chamber worked and voted, should see proper to call it, and why should we shrink from the contemplation of such a call? For one, I believe Congress should assemble regularly when the Congressional term begins.

Might a river and harbor bill fail to become a law, unless sacred principles be surrendered, and incalculable harm be done, and the stain of ineffaceable dishonor be put upon the flag, and perfidy be written, in unfading characters, upon the once shining record book of the Republic? Better that the rivers be choked by the shifting sands, better that the ships cease to find anchorage in the harbors, than that the wellsprings of constitutional liberty be polluted with the garbage of blind greed.

And as for the Louisiana Purchase Celebration, and the Pan-American Exhibition at Buffalo, and the exposition at Charleston, the most delicately adjusted scales can not find the smallest fraction of calculable weight in all of them combined when they are cast into the balances against the Constitution, the Declaration of Independence, national honor, and human rights. Better, far better, to let all these celebrations and exhibitions go over, to be managed by other men, in another century, than to do, or to make possible the doing of, or condone, this double abomination. Better far that Buffalo wait, and wait, and wait for an appropriation until atom by atom the walls of rock over which the Niagara plunges shall have worn away and the mighty cataract shall be numbered with the things that were and are not; better far that a cycle of centuries shall roll by before the Louisiana pur-

chase shall be celebrated; better far that Charleston, vainly reaching out for an appropriation, shall wax in age and her brave men and devoted women cease to dwell in memory even; better all this than that the plighted faith of the American Republic to Cuba and to the world shall be broken in greedy wantonness, and liberty and life be the perpetual sacrifice to imperialism in the Philippines, with formal Congressional approval.

Our nation was dedicated to liberty, and some of us, come weal or come woe, will continue to strive as best we may against the swelling hosts of greed and timidity and servility to hold fast to the faith of the sages of the Revolution. How far we have wandered from the simplicity and glory of the earlier day! One hundred years ago Thomas Jefferson, the immortal author of the immortal Declaration of Independence, having been elected President of the infant Republic without the aid of privilege or the contributions of corruption or the coercion of plutocracy, came quietly to the Capitol, walking from his boarding place in Washington, now the hotel named the Varnum, and in republican simplicity took the official oath and entered upon the duties of his great office. But that was a century ago, and such things are done differently now, with an increased cost of a quarter of a million of dollars as one of the minor incidents of the change that has been wrought.

Then, too, we were not in the work of imposing our government—no; not our government, but the government of empire, by the agency of the carpetbagger, at the point of the bayonet and the mouth of the cannon, with the nasal twang of hypocritical cant between the puffs of smoke—upon an unwilling people on the other side of the globe. Then, too, every resource of constitutional resistance against such outrages upon the rights of man as declared in the Declaration, and upon the principles of our Government as embodied in the Constitution, would have been employed if any party could then have been found base enough to attempt what is to be perpetrated now. Yes, changes have taken place since the days of Jefferson.

When we entered into the war with Spain we declared—

That the people of the island of Cuba are, and of right ought to be, free and independent.

Did we mean what we said? Were we hypocrites then? Or are we unblushingly rushing into the embrace of dishonor now?

Then we also solemnly declared—

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

Now, what candid man can say that the amendment with reference to Cuban affairs, so complacently lodged in this appropriation bill, can be harmonized, or is intended to be harmonized, with our lofty pretensions, expressed in the words which I have quoted? How could hypocrisy go further, or shamelessness be more transparent, than in the pretense upon pretense embodied in this amendment? What profligate irony—repeating the words of a pledge with sanctimonious unction, while breaking it, letter and spirit, with brutal indifference!

Let us get what comfort we may out of the hope that the wisdom and virtue and patriotism of the Cubans (until the pride of the American people—their sense of honor, their sense of shame—shall come to the rescue) may avert the calamities which our perfidy invites. Cubans, be patient under the wrongs which we are inflicting upon you! Rest upon the hope that American honor will yet assert itself—that dishonor can not rule here forever! Do not, in righteous indignation, do anything which may be seized upon by those who, having dishonored themselves, await with eager greed and pretext, however flimsy, to despoil "said island." And American sons of freedom, remember the lesson of all the ages: Honor is priceless, and perfidy is death. Stand by your solemn pledge to Cuba; cling to the letter and the spirit of your noble proclamation to the world. Not all the wealth of all the islands of all the seas could recompense you for the loss of honor; and your honor is gone unless you right the wrong done the Cubans, and the still greater wrong done yourselves, and retire to the pitying embrace of charitable obscurity the men who are working this monster iniquity.

As an incident in the war with Spain our fleet destroyed a Spanish fleet in the harbor of Manila, in the Philippine Islands. Later, we entered upon operations for the capture of the city of Manila, and the destruction of the Spanish power in those islands. We found willing and efficient allies in this warfare in the Filipino forces, under the command of Aguinaldo. Success crowned the united efforts of our army and their army, the Spanish flag came down from the walls of Manila, nevermore to be raised, and the glorious stars and stripes and the Filipino flag waved in triumph. The land was redeemed, as then it was thought, from the blight, the curse, the measureless wrong of alien rule, imposed and maintained by force.

Commissioners met in the city of Paris to negotiate a treaty of peace, but there was no room in the council chamber for any representative of Filipino land. One imbued with the principles of

free government and familiar with the noble declaration of our independence from Great Britain might take it for granted that we would look out for the Filipino, our friend and ally. And it is evident that we did look out for him—as our prey. For many weary, bloody months hundreds of millions of dollars of our treasure have been spent, and thousands of our young men have been sacrificed, in the tyrant attempt to impose our rule upon the Filipinos against their will, with fire and sword.

Whatever of law has attended our march and marked our slaughter and devastation has been the unrestrained will of the President. Hitherto a subservient Congress sat with folded hands while the work of the empire progressed or retrogressed under the untrammelled sway of the President. Now "Congress is to share the responsibility of the Executive." Thank God, it is not in the power of all the minions of the empire to force upon the minority in this House any sharing of that awful responsibility! We are powerless to prevent the action which you, in doing the bidding of your masters, are about to take, just as we were powerless to prevent these amendments from coming into the House upon this appropriation bill, with the days of this Congress almost numbered. If henceforth, until even you shall sicken of the slaughter and the waste, or until the American people shall assert themselves, and as the first and indispensable stroke for the recovery of their honor, which you turn into dishonor, and the protection of their free institutions, which you devote to the deeds of despotism, hurl you from power, imperialism in the Philippines is to have Congressional sanction, none of the infamy can attach to the minority, whom your denial of free speech renders voiceless now in this Chamber.

The Spaniards had but a poor foothold in the Philippines when Dewey sailed into Manila Bay. Outside of the few towns garrisoned by them, the power of the Filipino, even then, was omnipotent. When Spanish dominion was terminated by the triumph of the joint forces of the Americans and the Filipinos, Aguinaldo completed the structure of the temporary government which, with our concurrence and approval, he had proclaimed promptly upon his return from exile, whence he had been summoned by Dewey to our aid; and his followers were armed and equipped in part by Dewey for the work which he and they gladly undertook and efficiently performed for us and themselves and their countrymen. This Aguinaldo government, even in embryo, was adapted to the wants of the Filipinos, who gave cheerful allegiance to it. Aguinaldo builded his government upon our model, and we have builded our Government in the Philippines upon the Spanish model.

Under Aguinaldo's rule peace and contentment prevailed generally among the Filipinos; and there is little room for doubt that if we had not shot the Aguinaldo government to pieces, it, a good government for the Filipinos, would now be protecting them and guarding efficiently all the rights of foreign subjects domiciled in the islands. Instead of that we have carried desolation to our late allies—death to many, misery to more, vice and drunkenness to a multitude, and despair and desperation to all. As I have already stated, this was done as the President willed and as his irresponsible emissaries executed. Congress being negatively responsible. Now Congress, with the minority gagged, registers the decrees of imperialism and strives in indecent haste to make more pretentious the absolute reign which before it tolerated.

Whatever of woes shall come, whatever of fresh disgrace shall attend, however deep our degradation may be before conscience resumes its wonted sway, whatever penalty Providence shall impose upon our nation for being Spanish instead of American in its administration, however severely our own governmental fabric shall be wrenched, however measureless may be the wrongs which we are perpetrating, however long greed may shove patriotism aside, however long a dollar may seem larger than a man, a franchise greater than a myriad of human lives, temporary loot more valuable than a multitude of immortal souls—whatever may come, we of the minority in this House, rendered powerless here now, will stand in the brighter day behind the impregnable walls of the Constitution, unconquered and unconquerable, and with no stain of this dishonor upon us, with no stench of this perfidy about us. You silence us now, but we shall yet be heard when you will be silent, not because of the denial of free speech, but because you shall be busy praying in voiceless penitence for the rocks and the mountains to fall upon you and hide from the wrath of the aroused American spirit of justice, equality, and rational liberty, which to-day you crucify.

Mr. LENTZ. I yield to the gentleman from New York [Mr. RYAN].

[Mr. RYAN of New York addressed the House. See Appendix].

Mr. LENTZ. I yield to the gentleman from Colorado [Mr. SHAFROTH].

[Mr. SHAFROTH addressed the House. See Appendix].

Mr. LENTZ. Mr. Speaker, to be or not to be free is the ques-

tion Cuba is asking in the beginning of 1901, just as she was asking this question about three years ago. But when she was asking it in 1898 she had in mind the question of freedom from a hereditary despot. To-day asking it she has in mind the tyranny of a majority, and that majority having been secured by bribery and falsehood and other means of corrupting the voters of the land. To lie or not to lie is the question before the American people. We told Cuba and the world that our war against Spain was neither for conquest nor for the acquisition of territory, but purely in the cause of liberty and humanity. In that declaration we gave the Filipinos, just as much as the Cubans, a bond that we would use our strong arm to secure for them the right of self-government. Why is it that those who are now fattening in the land because this Government keeps its bond to pay principal and interest on Government debts express no concern or solicitude whatever that this solemn bond should be kept, as we pledged ourselves to do on that night when we declared that the people of Cuba "are, and of right ought to be, free."

I am not alone concerned about the sacrifice of our own character and reputation in this betrayal of the people of Cuba and of the Philippine Islands, but I am much more concerned about the gradual dry rot that is taking place in the American conscience. We could afford to be guilty of sacrificing unnecessarily some of our young manhood, but we can not afford to violate practically all of the ten commandments in this brutal and murderous warfare which we are making in the Philippine Islands. The lack of moral growth and the absolute hardening and degrading of American conscience that is manifest to-day is the greatest menace to American liberty and American progress that this Republic has ever seen. The encroachment made upon liberty by Nicholas Bidle and his greedy associates in the days of Andrew Jackson and the threatened destruction of the Union by the slavocracy in the day of Abraham Lincoln are diseases of minor importance when compared with the tyranny and criminal aggression now manifest in every act and every word of those who favor the present policy of the Federal Government.

For some time I have been accustomed to liken our wickedness in the Philippine Islands to that of England in South Africa. But, speaking of the matter a day or two ago to a gentleman and his wife, placing the conduct of the two nations on the same level, the good wife of my friend interrupted me to suggest that the conduct of England in South Africa was far more honorable than our conduct in the Philippine Islands. She suggested, and I think with entire justification, that England had the advantage over us, in that she is honest enough and frank enough to admit to the world that she is making war to the death on the two South African Republics not because of any purpose of benevolent assimilation, but purely and simply because it is her habit to go about the face of the earth seeking whom she may devour. England admits that her purpose is to secure possession of the rich gold fields and other property which the Boers, in their search for liberty, had discovered.

We, the good wife argued, are making war on the Filipinos for the benefit of a few of our speculators and governmental jobbers, and have our highest officials in the National Government prating to the world that we are doing it for the purpose of Christian civilization and for benevolent assimilation. The difference between the policy of England and the policy of America is as wide as the difference between frankness and hypocrisy. In that conversation I had commented on the shameful and the barbarous brutality manifested by Great Britain in the last battle in which the lion-hearted Cronje participated. I had made comparison between what took place in Cronje's last fight and some of the pictures of Rome in her pagan days, when she threw the Christians, men and women, into the arena to be torn and fed upon by lions, tigers, dogs, and other brutes. In that conversation I read and here submit a description given in the Washington Evening Times of the 27th of February, 1900, which is as follows:

Cronje surrendered, saying he wished to save the women and children. Throughout that week the grim old African lion Cronje, with 3,000 men, held out against the persistent assaults of Roberts's 45,000 men. The Boer laager was on fire most of the time after the third day's battle from British lyddite shells. Shot and shell were poured into the laager by the British, and the condition of affairs in the camp of the Boers was something frightful. They had run entirely out of food, their ammunition had given out, and the laager was strewn with the corpses of the dead, lying in the broad light, unburied and festering. The wounded were in an awful plight. The hospital corps was insufficient to attend to them, and they lay about the laager in heaps, some crying piteously, others shrieking in their pain, many silently enduring their agonies.

Is it possible for anyone claiming membership in any one of the Christian churches to gaze on this picture of fifteen Britons murdering one Boer, and say that this picture is not far more disgraceful and savage than anything ever perpetrated upon any human being by even the vilest or most brutal of the pagan Romans? Is there not much in this to justify Buckle's deduction when he says that civilization had developed intellectuality, but not morality; and if it be true, as my friend argued, that England has the advantage over America in being frank instead of hypocritical, then

what language can be found strong enough to describe the crimes which we are perpetrating in the Philippine Islands? Evidences are coming thick and fast that we are perpetrating outrages in many forms against the Filipinos, and that in those outrages we are violating individually and collectively the commandments, "Thou shalt not steal; thou shalt not kill; thou shalt not lie; thou shalt not commit adultery." What a legacy will be coming home to America in the spiritual and physical wrecks that are to return to us as American soldiers. Comment need not be enlarged on this subject. I insert here a statement from the issue of date February 23, 1901, of the Bulletin of the American Iron and Steel Association, of Philadelphia, which is as follows:

Three soldiers from Johnstown and vicinity, who enlisted a year or so ago to go to the Philippines, are back at their homes, having been returned as invalids on the transport *Sherman*. They were not much more than shadows when they arrived. All declare the climate in which they served to be something horrible, and that white men can not serve in it over a few months and keep their health. The *Sherman* carried 800 souls, of which 297 were invalid volunteers, including 16 insane.

John W. Kissel, of Edenville, Franklin County, Pa., who was a member of the Thirty-ninth Regiment United States Infantry, in the Philippines, has returned to his home on account of bad health. On the steamer in which he returned to this country there were 400 soldiers, the majority of them being ill, and 200 bodies of soldiers who had died on the islands or on the way over. Kissel says he has had enough of war in the Philippines.

A dispatch from Washington, dated February 18, says: General MacArthur has informed the War Department that the transports *Hancock* and *Kilpatrick* left Manila yesterday for the United States. The *Hancock* has the Thirtieth Volunteer Infantry on board, and the *Kilpatrick* carries 400 sick soldiers.

It may assist some to understand the real conditions in the Philippine Islands if I quote from a letter recently received from a soldier who has been there long enough to speak with authority and whose language is sufficient evidence of his intelligence.

One extract is as follows:

I wish I could tell you in person my impressions of this country and its people. You would be astonished and pleasantly surprised at some things. The people are constantly misrepresented by men who have their own interests to subserve and by men also who can see no good in anyone here.

In the communities below the mountain sections the people are law-abiding, industrious, temperate, moral, and religious. It is true they are in arms, shooting and being shot, but when one considers they are fighting us as invaders and despoilers one can not blame them for continuing to hope for what is theirs, or should be, if justice prevailed.

Concerning their aptitude for self-government, no sane man will doubt it, for they are, in fact, governing themselves at the present time, except in the untutored savage portion of the archipelago. The least government is the best for this people. To change or force a change to the American plan would be folly. These people are satisfied to be let alone and to live as they have been living. Give them proof that we are not here to despoil them, and peace is assured.

The morality of the people has suffered through the soldiers. The soldiers look upon the women as common property. Even some of the officers appropriate women to their lust; yet the people stand it, for they fear to offend by complaining. The Americans have brought the drink habit to these islands. They have promoted immorality, and their conduct has brought shame to many, but they say, "That's the way with the invaders of every country," and there is no recourse for those who come under their control. The commission is the whole thing in Manila. Everything is done in the name of the President of the United States. Great is the President! Great sums of money are spent here. Some day great scandals will grow out of the whole business; it is inevitable.

What American can read such a letter as this, bearing such evidence of fairness and keen observation, without feeling that Haunauism and McKinleyism in the Philippines are blood cousins to Weyerism in Cuba?

What American can read this and feel like voting for hundreds of millions of the people's money to be expended in criminal aggression and murder in the Philippines?

Less than a year ago I warned the country that when you cut down the military appropriation from \$128,000,000 to \$112,000,000 it was done to deceive the taxpayers. I then asserted that \$128,000,000 would not cover the war expenditures. A few days ago, when we passed the deficiency bill, after tedious interrogatories I succeeded in forcing the chairman of the Committee on Appropriations to admit that it was necessary to make an additional deficiency appropriation of \$21,000,000, which, added to the \$112,000,000, makes the appropriation for this fiscal year ending July 1, 1901, \$133,000,000, or, in round figures, \$110,000,000 more than was appropriated for war purposes four years ago. In other words, we have entered upon a policy which in one Department alone will require more than \$100,000,000 of additional expenditure from year to year for many years to come, to say nothing of the additional expenditures of scores of millions that will be required in the naval establishment.

It would have been far better could we within this Congress just closing have spent our time discussing and developing the post-check system, which would have facilitated and simplified the sending of money by mail—an urgent necessity, as every business man well knows. But we have been so extremely mad with this business of taking on the title of "world power" that we have gone abroad minding everybody's business and neglecting our own. I introduced in the House the post-check bill, and Senator McMILLAN introduced it in the Senate, which was a measure indorsed by the business men throughout the country and indorsed by the leading newspapers throughout the country, yet we could not get for it even a moment's consideration. Many

other bills have been pigeonholed and our homes and our families have been neglected while we have gone to the other side of the earth imitating the monarchs of Europe, and with them pretending that in some way we have received a divine commission to attend to the business of governing the other nationalities of the earth.

While our "plain duty" to the Filipinos should insure our granting them self-government, our duty to ourselves would still more strongly point to that course. It is almost unnecessary to state that the Philippine Islands can never be of any material benefit to the masses of the American people, however much the lands and franchises may enrich a few exploiters. On the other hand, we have spent, and are spending, and must perforce continue to spend, hundreds of millions of dollars to guard them from within and without. It will be remembered that they are surrounded by nations which may at any moment become hostile to us, and without an immense navy and enormous incessant expense we are forever to be at the mercy of any combination of these nations.

To-day we are humiliatingly subservient to Great Britain on that account. Already we have permitted her to take our territory and our citizens in Alaska. She harbors the Filipino junta at Hong-kong, openly plotting against us, and we dare not say her nay. She built the Canadian Pacific Railroad as a military base immediately on our northern borders, and now she is about to build a parallel line in case the Canadian Pacific should at any time be blocked. She has sent Sir Edward Warren, her greatest military engineer, to Canada, and has arbitrarily seized the island of Anticosti for the purpose of fortifying it. She is delaying the building of the Nicaraguan Canal to keep closed that means of connection with the Pacific Ocean, and is attempting, with our acquiescence and virtual assistance, the subjugation of two sister republics in South Africa. If she succeeds, she will have practical control of South Africa. She controls the Straits of Gibraltar and Suez Canal, and we are thus completely at her mercy for peaceable transit to the Philippines by that route. When we were confined to our own illimitable and inexhaustible continent, the surface of which has only been scratched, and the resources of which have barely been touched, we were masters of the situation. We were truly a "world power."

To-day we are a world mendicant, seeking whom we may placate. We have been befogged, befooled, and betrayed by England. It was said, "Beware of the Greeks, even when bearing gifts." The same is true of England. With the honeyed phrases about the Anglo-Saxon race, and blood being thicker than water, she has cajoled a few pin-head politicians and sycophantic plutocrats in the United States. She told the Paris peace commission that 5,000 soldiers would be sufficient to hold the Philippines. Instead, it takes 75,000. Who pays? We. Who is weakened? We.

But her prime object in all the diplomacy by which she has fooled us so completely is to take our minds off Canada. She knew that the war fever had only been whetted by our brush with Spain, and she succeeded only too well in drawing a herring across the track leading to our northern neighbor.

Hence the betrayal of our ideals. In our present humiliating predicament we find hostile territory in Cuba and the Philippines, the South American Republics rendered uneasy and suspicious, perfidious Albion surrounding us on every side and constantly strengthening her position, the faith of millions of our own people in our Constitution shaken. Our condition is truly lamentable. Had we granted Cuba and the Philippines self-government asking only such naval and coaling stations as we deemed necessary, and which would have been freely given, we would not only have been a world power, but a world master. We could have insisted on Canada being given autonomy or annexed to the United States. The spirit of the Monroe doctrine has been violated by her sending troops to fight in South Africa, by her territory being made a recruiting ground for Great Britain.

Suppose we are in difficulty with England, as is inevitable, for the present "era of good feeling" will only last till England succeeds in South Africa. Would not England import troops from South Africa and Australia to fight us? Would the Dutch of South Africa not be justified in coming over to avenge themselves for the mules and horses, aye, and men, we have sent to help to destroy them forever? Would the Irish and the Germans who helped to save the Union which England sought to destroy be so willing to fight the English legions as they were before this unwarrantable and unwise understanding with the infamous and mendacious Chamberlain? What we should have done, if we desired expansion, was to take Canada. She has illimitable acres of public lands. She has millions of square miles of forests. We need the Great Lakes and the St. Lawrence as an outlet to the Atlantic as much as we needed the Mississippi as an outlet to the Gulf of Mexico. Jefferson, that man of peace, was willing, if necessary, to go to war to secure Louisiana and Florida. The great Seward took Alaska as an entering wedge to the annexation of Canada.

We need her to complete our continental Republic. Her people

are congenial, and the vast majority of them willing for the change. It would benefit them even more than it would us. We could, without danger of interference, develop our domestic institutions on national lines, as the people of New Zealand and Australia are doing. Large armies and huge navies, with ever recurring and ever increasing cost, would be unnecessary. The best and bravest of our sons would not be condemned to death or a living hell by reason of residence in torrid climes. Our free institutions would not be turned into autocratic despotism. In the play of Quo Vadis, the courtly and learned Petronius is told by the miserable Caesar that he has "lived too long." McKinley, in effect, says the same thing day after day when he removes men from office. Everything depends on the whim of one man, and arbitrary power will make even a good man bad and a bad man a demon. Our institutions need development in accordance with principles of justice and equity. Instead of concentration of power, we need a balance which conserves the principles of individual liberty without weakening the state. To do this, the power of patronage must be taken away from the President as far as possible.

In this way the popularity of Executive action can be effectually passed upon at least every two years. As a matter of fact, a state of anarchy has existed in the United States and Territories for the past four years. No one knows what may be done next. The programme foreshadowed one week is departed from the next. Even judicial decisions are reversed to order. Murder is constantly on the increase in the United States, and wholesale murder, under the guise of war, is chronic in the Philippines, while bribery and corruption are wholesale at home and abroad. To compensate for this there is a plethora of wealth in the hands of a few, and the glittering baubles of empire held up to dazzle the unthinking masses.

The statesmanlike solution, if we are to go into the expansion business, is to annex Canada, and to do it now while England is in difficulty. Turn the Philippines over to her own people, who have shown themselves amply able to take care of themselves, and protect them till they are on sure foundation, securing coaling and naval stations. In this way we will have the friendship of a nation of ten millions in the Orient, guarding the security of our interests in that quarter; we will have disarmed the suspicions of our southern neighbors; we will have our great Republic strengthened from the Arctic to the Equator, impregnable in its solidarity, and probably peacefully acquiring the country to the Isthmus of Panama at no distant day, and thus we can go on and on in paths of peace, which is vouchsafed to men of good will on earth.

We have undertaken to legislate for the Filipinos, ignoring their own desires, and giving no heed to their aspirations, but for my part I believe it is only fair and just that they should be allowed to speak, even through the columns of the CONGRESSIONAL RECORD. I therefore offer as a part of my remarks the address of Apacible, one of their representatives, as contained in his appeal to the American people, dated June, 1900.

To the American people:

God Almighty knows how unjust is the war which the imperial arms have provoked and are maintaining against our unfortunate country. If the honest American patriots could understand the sad truth of this declaration, we are sure they would, without the least delay, stop this unspeakable horror. And that they may have a just understanding of it, we entreat them to hear our voice, to meditate on our exhortations, and to weigh our statements against the misrepresentations under which imperialism seeks to conceal its designs. Turn not away from our prayer, Americans, but listen and give judgment according to reason and conscience.

We, the Filipinos, are a civilized, progressive, and peace-loving people. Many impartial writers and speakers have testified that we are advanced in civilization, that we are capable of improvement, that many of our people for two centuries have enjoyed the advantages of university education, that the number of illiterates among our people is small, and that as artists, scientists, magistrates, generals, and dignitaries of the church, the sons of the Philippines, have distinguished themselves greatly and have achieved many positions of eminence, especially so in Spain. That we are progressive was well shown by the conduct of our whole country when, at the time of the capitulation of the city of Manila, the inhabitants of our islands, supposing themselves to have entered upon a career of national independence that was to be assured to them by the United States Government, instead of abandoning themselves to any revolutionary fever and excess, established with careful thought and scrupulous regard for justice a prudent government which respected all rights created legitimately; they convoked a congress whose legislative work has not been justly criticised by anybody; they reorganized the administrative machinery which had been disturbed by recent struggles; telegraphs, railroads, and means of communication began to work regularly; we had adopted the electric light in some of our towns; and we had established a new university, four high and several primary schools. In brief, the new nation had entered upon a path of progress which already promised a bright future. All this progress the imperialists have disturbed; all this progress have they destroyed.

For proof that we love peace, we ask you to remember the story of our relations with Spain. For three hundred years our country has been at the mercy of Spanish domination; we were the subjects of that monarchy; the Government of that nation denied us any voice in the enactment of remedial legislation; they denied us representation in the Spanish Cortes. They allowed themselves to be directed by the most reactionary elements, and took counsel chiefly from the friars who sought to estrange the mother country from us and to deny us the blessings of liberty, so that they might the more completely exploit us at their will. They denied us freedom of the press, restricted the right of peaceable assembly, and violated the security of our homes. They created the so-called administrative process (*expedientes gubernativos*); so that often without hearing and without trial the most peaceable citizen was snatched from his house and condemned to the miseries of

banishment. In brief, the Spanish Government, whose despotic cruelty American imperialism now imitates, and in some respects surpasses, denied to us many of the liberties which you were already enjoying when, under pretext of oppression, you revolted against British domination.

Notwithstanding these great wrongs, we submitted quietly, confining our protests to earnest prayers for reparation, such was our love of peace. Only when we became convinced that our requests were absolutely disregarded, that the most worthy officials were removed from office, even those of eminent character, when it was made known that they had manifested even a slight sympathy for us; when we had lost every hope of peaceful remedy and all faith in the oft-promised liberal reforms; only then it was that the armed protest—the Philippine revolution, the most justifiable of all revolutions—began. It was an uprising void of every feeling of hatred and revenge toward Spain, the country that we respected and loved; it was a revolt against her bad government, just as we now revolt, not against America, whose power and greatness we recognize, and whose justice we still hope to see proven, but against her unworthy rulers. Those who tell you that we are an adventurous and seditious people, ready to go to war at the least pretext, basely deceive you in this as in many other calumnies invented by the imperialists.

If yesterday we fought against Spain, and to-day are resisting your powerful arms, even though sure to be vanquished, it is because we have been forced as a last resort to an unequal and bloody war for the attainment of an aspiring people's legitimate ambitions. Thus we can repeat proudly and with the firmness of one who carries the truth on his lips and in his heart that if our character and culture entitle us to independence, still more do we show ourselves entitled to it by the high motives which have always inspired our resistance. Why, then, do you deny us liberty? Why, forgetful of all your history and the noble precepts of your illustrious forefathers, are you fighting against the cause of independence, of progress, and of justice, which is our cause? What has come to pass between you and us that should cause you to permit this incredible and monstrous war to be waged against us?

When you declared war against Spain you proclaimed to the world at large that you had appealed to arms only in order to free oppressed peoples; and when your flag waved before the coasts of the Philippines on powerful vessels which easily destroyed the weak fleet of the enemy it was an emblem of liberty then. Your diplomatic representatives invited the most famous of our Filipino leaders, Hon. E. Aguinaldo, to an offensive alliance against those whom you represented to us as a "common enemy," in order that by vanquishing them we might achieve our aspirations for peace and happiness. It was then that your idol, Admiral Dewey, and your distinguished generals, Merritt and Anderson, treated us as friends and allies, saying sincerely that we were fit for independence, even more so, as the Admiral asserted, than the Cubans to whom you have with equity promised to give it. It was then that the flag of the new Philippine nation waved in the shadow of the Stars and Stripes at Manila Bay. It was then that the independence of the Philippines was proclaimed at Cavite, within range of your cannons, without any opposition, and in almost the very words of your immortal Declaration.

It was then that your soldiers hailed the new nation, while ours were cheering the American liberators. It was then, to save your cause, since you had assured us that your cause embraced our freedom, that the Filipinos gave their blood for you in your fight against a valiant and obstinate enemy and at the same time placed in your reach all available resources and aid. You were at that moment almost at the point of breaking into hostilities with another nation which had manifested her sympathy for Spain by attempting to bar at Subig Bay the course of what you yourselves had called "an army of liberation." That was the hour of the beautiful fiction; now we seem to have come to the time of the bitter reality, the cruel disenchantment. Then we were received and treated as allies; now we are scourged back into the mountains and denied every right except that of fighting the very flag in whose beneficent shadow we had expected to find freedom and happiness.

From the outset our country took sides with the United States in the war with Spain, and we marched proudly with your sons as comrades in arms, as soldiers in the same cause, to victory. At all times during that war, and for months afterwards, the civil, military, and naval authorities of the United States caused us to hope for independence. Papers and pamphlets advocating this ideal were published in Manila under the protection of the United States authorities; with their consent the revolutionary army had been conquering the Spanish positions and establishing in them provincial governments dependent on that of the Philippine republic. America was then a great Republic releasing the Cubans and the Filipinos from the iron grasp of an imperial government and conducting them to emancipation and freedom; and our people hailed the Stars and Stripes as an emblem of freedom, as the token of liberty for the living and a badge of honor for the patriots dead.

With renewed energy, with proud alacrity, with fearless determination they pressed on, side by side with your noble sons to the end. What reward did we get? Did the expected freedom come to us? No! As a requital for our sacrifices and as a reward for our loyalty, subjugation is offered to us instead of freedom. We may have a colonial government of the United States, administered in a foreign language, instead of the colonial government of Spain, which, at least, was administered in a language already known to us and which we have made ours. We are to have a colonial government which will deny us the citizenship of its nation. In spite of their imperialistic tendencies, the Spanish Government never went so far as to deny us citizenship.

When, on a day of sad recollections, we declined to accept this shame, when we protested against this iniquitous ingratitude, then the guns of the United States were turned upon us; we were denounced as traitors and rebels; you destroyed the homes to which you had been welcomed as honored guests, killing thousands of those who had been your allies, mutilating our old men, our women, and our children, and watering with blood and strewing with ruins the beautiful soil of our Fatherland. Behold, therefore, Americans, and consider not only our right to independence, but what your conduct has been, and what your plain duty is toward us in good faith, and then judge, in view of these antecedents, whether the crusade of extermination which the imperialists have inaugurated against our unfortunate country is a worthy one, whether it is just, and whether it is in the least degree excusable.

These and only these are the true terms of the simple problem. Do not give ear to the specious arguments of those who, in order to excuse a political crime and in order to disguise their greed and covetousness, tell you the contrary by means of assertions whose falseness is as great as the bad faith of their authors. They tell you that we are incapable of self-government, as if the accomplished facts had not proven the contrary, and as if, also, all the Americans who had calmly judged us previous to this war of conquest had not unanimously asserted otherwise. They assure you that there exist deep divisions among us and that the withdrawal of the American troops would create anarchy and misgovernment in our country, as if it were not evident that the most complete order prevailed there until the imperial troops had, with their unjust war, brought confusion.

They tell you that the government of the Philippine republic had never been recognized by the whole country. This is a manifest falsehood, because it had been recognized even by the Mohammedans in the south whom the

imperialists, their friends and allies, boast so much of having reduced to submission, and by the mountain races of Luzon, who always refused to recognize the Spanish Government, and who will do the same to the American Government. The Philippine government is the only one which can conciliate and redeem them, for in that government only have they confidence—a success for civilization which imperialism could never accomplish. They assert that the existence of these mountain races makes the Philippine independence impossible. This is an absurd assertion, which would be equal to maintaining that you are incapable of self-government simply because there are Indians on your soil in a proportion almost equal to that which the Ingorotes, Aetas, etc., represent among us.

They mislead you with the idea that because the Tagalogs, the Visayos, the Ilocanos, etc., speak different dialects, it is not feasible for us to constitute a national unity. This is an objection of gross ignorance which forgets that in the most civilized European nations people speak different dialects and even different languages, as in the highly civilized Switzerland. It is also a sophistical objection which overlooks the fact that in all the provinces of the Archipelago, in the Tagal, the Visayan, and the Ilocos provinces, etc., whose inhabitants are of the same ethnical condition and culture, the only language officially spoken is the Spanish. They allege that the majority of the Filipinos are in favor of the American sovereignty, and that they would rather be colonials of America than be independent. This is a base falsehood, which belies the fact of the thousands of soldiers which the imperialists have had to put on the islands, and of the régime of military tyranny more terrible than was ever known before by us, of which they were compelled to avail themselves, imprisoning thousands of honest people, suppressing serious newspapers, and other endless abuses against all law, in order to smother the cries for independence.

They also tell you that we were the aggressors in the present war, as if it were not evident how much we have done in order to prevent the outbreak of hostilities with which we were daily provoked, and how many times we proposed a cessation in the fight in order that we may come to an agreement, a demand which your rulers have always refused to grant us. They further tell you that our country has great and unexploited riches, and that with it America would gain. This is a new deception of imperialism, because such treasures, even the mines, have already been carefully exploited by Spaniards, Germans, and English, and they never obtained the marvelous success of which imperialism now dreams; on the contrary, the record of these exploitations shows more failure than success.

They go on to say that there are in our country rich lands to distribute and cultivate. To this the deceived American immigrants who, believing such promises, shall go and succumb to the rigors of the climate, so fatal to their race, will answer, accusing those who made them leave their rich and habitable land. That the higher interests of Christianity demand the retention of the islands is another deception, because if our subjugation becomes a reality, we could never forget how much religious fanaticisms have had to do with it, and our present Christian belief would stagger, and perhaps we would look with distrust on the creeds of our subjugators. Finally, the imperialists say that God trusted in their hands the government of the future destinies of the Philippines, as if the Supreme Spirit could have been incarnated in the gold of the \$20,000,000 which were paid to Spain and in the steel of the quick-firing guns which are mutilating the unfortunate Filipinos.

No, do not listen to the false assertions of the imperialists: listen only to the voice of reason and justice. Heed not the suggestions of those who pretend to excite your national self-love and your innermost feelings in order that you may convert yourselves into docile instruments of their cupidity and ambition, of their immoralities and scandals, which are peculiar to every colonial administration, and which have already dishonored the, until now, immaculate name of America and her foreign policy. Do not be deceived by false charges nor allured by false promises. Give judgment without hypocrisy and without self-deception. On the one hand, your honor and your glorious traditions are calling upon you to accord to us our rightful and well-earned independence. On the other hand, the distorted dreams of avarice, the dark conspiracies of greed and remorseless ambition, nurses of imperialism throughout all time, these counsel you to uphold the war of subjugation which your rulers but not your people have authorized and forced upon us.

Choose, then, sons of Washington, of Jefferson, and of Lincoln, between these two alternatives: Freedom for the hapless peoples who are in your power, and thus, under God's just laws, the recompense to you of a larger freedom for yourselves, or tyranny and destruction for your struggling but helpless victims, whose wrongs the Great Ruler of all will in due time avenge by the mournful destruction of your own liberties. Shall it be generosity or colonial greed? Shall it be right or wrong? Give ear to your own conscience and we are sure you will incline yourselves toward mercy, toward justice, and toward the only honorable course that will restore peace to our ransacked homes and to our devastated fields, stopping at once and forever this horrible war, which has already cost so much in treasure and blood, and which, if not abandoned, will yet cost much more, because our resolution is fixed: Liberty or death; independence or annihilation.

Why do the imperialists wish to subjugate us? What do they intend to do with us? Do they expect us to surrender, to yield our inalienable rights, our homes, our properties, our lives, our future destinies to the absolute control of the United States? What would you do with our 9,000,000 of people? Would you permit us to take part in your elections? Would you concede to us the privilege of sending Senators and Representatives to your Congress? Would you allow us to erect one or more Federal States? Or, would you tax us without representation? Would you change your tariff laws so as to admit our products free of duty and in competition with the products of your own soil? And thus would you allow the American trust to utilize our cheap labor in the manufacture of goods that would compete with the products of your own factories? Would you permit the trusts to bottle up our people to subserve their own ends, depriving us even of those liberties which you are enjoying?

Would you admit our artisans, mechanics, laborers, and servants to take employment in your country on an equal footing with American citizens, Indians, and negroes? Would you allow us to prohibit Chinese immigration? Would you permit us to retain our own language and not force us to adopt yours? Would you let us elect our own local officers? Would you allow us to share your offices, your honors, and your privileges? And, as for the saloons (which were almost unknown in Manila before), would you allow them to go on multiplying at the appalling rate at which their number has increased there within the past two years? Would you allow the lands in the Philippines to remain all untaxed, as formerly, simply because some religious corporations have acquired enormous and fraudulent properties in them?

Would you remove your American soldiery and permit us to create an army of our own? Or, if you were determined to maintain a powerful army and fleet in order to protect your newly acquired "property" from foreign ambitions, and from our natural and perpetual anxieties for liberty, would you do this solely at your own expense, because the revenues of a poor country like ours could not do so? You who so ardently protest against the destruction by England of two small republics which challenged her to war, would you continue to remain indifferent whilst your rulers are destroying a sister republic which is much more helpless than those of South Africa, and which,

far from declaring war against you, was your obliging friend, your successful ally? What would you do with the Philippines and the Filipinos if you refused to allow them to become a new American State, if you refused to allow them to enjoy your citizenship?

Imperialism knows not how to answer these questions. It is inspired only by greed, by a vile thirst for gold, and by the lust of spoliation. But, ever misled by its ruthless impulses, it can not determine which would be its better plan, which should be its settled purpose for the future, or how far it may safely indulge its insatiable appetites, for the dilemma is inexorable. Either the retention of the Philippine Islands, if it is realized with a noble purpose, will result in great harm to your industries and your commerce or it will become a system of merciless and shameful colonial spoliation, which will forever blot out the honor of whatever there is that is lofty and noble in your history. Can it be possible, sons of America, that you will allow us to become subjects or slaves? Should this happen, how will you reconcile it with the wise and noble principles set forth in your Declaration of Independence?

"That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed."

Will you transform these beautiful and honorable sentiments into specious deceptions, fraudulent promises, and high-sounding but hollow words? No! You can not belie your whole history. You can not tolerate the violation which imperialism is so evidently working against your most venerable and fundamental principles. Until Congress succeeds in redressing the illegal aggressions of which we are the victims, and shall suppress these violations of reason, of solemn contracts, and of the elementary conceptions of gratitude we shall rely upon and appeal to the high sense of justice which has hitherto so honorably characterized the free American conscience. We do not believe you will allow us to be enslaved; it would be a dishonor to yourselves.

Influence, then, as soon as possible your legislators and rulers to give us self-government, which by right belongs to us, and peace will be restored immediately, to your benefit and ours, ending the now incessant and fruitless bloodshed entailed upon us by the present war.

We are ready to make peace, and in order to facilitate this end we propose—First. That we will pay back to the United States the \$20,000,000 paid by them to Spain.

Second. That the most amicable and perpetual commercial relations shall exist between us for our mutual benefit and for the greater progress of our country.

Third. That we will grant to the United States whatever space is reasonably necessary for coaling stations outside of our established cities.

Fourth. That we will not allow monopolies of any kind in the islands, and that we will give to your citizens all the guarantees and protection accorded to our own citizens for the security of life and property.

Fifth. That we are ready to entertain whatever terms you may desire for yourselves, so long as they do not infringe upon our individual and political liberties, or upon the integrity of our nationality.

After these offers it only remains that you, the free citizens of America, for the glory of your name throughout the world and for the honor of your flag, shall do justice. Thus shall the hands of your noble sons be no longer stained with innocent blood. Thus shall it not be said that the vile inspirations of greed have banished from your hearts those lofty traditions of liberty and philanthropy which you have inherited from your honest forefathers.

Toronto, June, 1900.

For the Central Filipino Committee.

G. APACIBLE.

In addition, so much has been loosely written about the desires of the Filipinos by Americans who have no true knowledge of what such desires may be that I add to my remarks the letter of an accomplished Filipino, Sixto Lopez, to Major-General Wheeler, dated June 30, 1900:

41 WOBURN PLACE, LONDON, W. C., June 30, 1900.

DEAR SIR: Having been favored with a copy of your circular letter requesting a statement of opinion on certain matters relating to the Philippines, I am desirous of furnishing replies to the several questions propounded by you.

Your circular is addressed to "eminentes Filipinos." I do not know exactly to what class you refer by that superscription, but I beg to assure you that I do not profess to be in any sense "eminent." Nevertheless, I am confident that the views herein expressed are those held by an overwhelming majority of my countrymen.

"It will be of great interest," you declare, "to those who may have to legislate on Philippine affairs to know the opinions of eminent Filipinos." Allow me to cordially congratulate you on being the only eminent American, among those who desire to take our country by force, who has deemed it of any interest to know the desires and opinions of the Filipinos on vital questions. I gratefully acknowledge that there are many eminent Americans who have spoken and written in favor of not only our cause, but also the cause of human liberty. But among those whose policy embraces the forcible annexation of our country and who profess that that policy is dictated by motives of philanthropy you stand preeminent as being the only one who has ever dreamed that the Filipinos have opinions which might be worthy of even passing attention.

The following are the questions in your circular letter, to which replies are given:

Question I. "It is the opinion of many that the war between Americans and Filipinos and the consequent bloodshed might have been avoided. Be kind enough to say what was the cause of the conflict and bloodshed, and if it could have been avoided?"

Your question may for convenience be subdivided thus: What was the cause of the war? Could the war and bloodshed have been avoided? To the first of these questions the reply is, that not being in the Philippines at the time of the outbreak of hostilities I can not speak from personal contact or observation. But from abundant evidence which has come from our people and from official reports published in American papers I am convinced that the conflict, in so far as our general and soldiers were concerned, was a pure accident due to misinterpretation of the acts of American soldiers. As to the ulterior motives, if such existed, which induced the American soldiers to fire the first shot and to shed the first blood I here express no opinion. But I am firmly convinced that if the commander of the American forces had adopted the system pursued by the Philippine army, of simply arresting those who ignorantly or wittingly crossed the lines of the respective forces, the conflict would not have occurred.

Of far more importance is the question as to whether the war and bloodshed could have been avoided. It is also much more serious, because it involves the question of moral responsibility. Every drop of blood that has been spilled, every life that has been sacrificed, the sorrow in every home made desolate in both America and the Philippines, must be charged to the

moral account of the side which is in the wrong. Our contention, therefore, is this: The Philippines were and are our country. "Forcible annexation," as your President has admirably expressed it, "would be criminal aggression. No legal quibble about 'the right of conquest and purchase' will obscure the moral question or even serve as a lubricant to conscience.

No profession of "philanthropy" or "benevolent assimilation or assimilation"—we will not quarrel about the word, the meaning is practically the same—will serve to shield your President from the charge which he has made against his own policy. Nor will it avail to offer insult to one's moral sense by claiming a legal title to sovereignty due to "cession" and "purchase" from Spain.

Spain never had a moral right to our country. Her alleged ownership rested solely on might and not on right. She never possessed even the tentative right which comes to the provider of beneficent rule.

This was recognized by the United States when it went to war on behalf of Spain's colonial possessions and demanded that Spanish sovereignty should cease. In addition to this, Spain did not possess sovereignty at the time of the so-called "cession." Her territories were in the hands of the Filipinos (with the exception of one city), who had established an independent government de facto and de jure. If Spain, then, had no moral and no legal ownership to the Philippines, who had? There is but one answer—the owners were and are the inhabitants, the Filipinos.

Who, then, is the aggressor in this war? Who is it that is endeavoring to seize and annex the Philippines over the heads of the natural owners, the inhabitants, and to purchase a doubtful legal title in the absence of a moral one? Who was it that fired the first shot and took the first life? Who is it that declares that "all just powers of government are derived from the consent of the governed?" Who is it that now seeks to deny the application of that principle of human rights to the Filipinos? Who was it that sought and accepted our aid in the conflict with Spain and now denies that we have any right whatsoever to a voice in determining the fate of the Philippines? Whoever is chargeable with these acts, on him and on them must be laid the responsibility of the war and bloodshed.

If the United States administration had promised that the principle enunciated in the Declaration of Independence and quoted above would be made applicable to the Filipinos, there never would have been a shot fired, and if that promise were now made there would be no more war. That promise could have been made and can now be made. I am therefore of opinion that the war and bloodshed could have been, and can be, avoided.

Question II. "If the Americans had abandoned the islands, would Aguinaldo have been acceptable to all the tribes, or would some have opposed his government, causing revolutions and other conflicts?"

General Aguinaldo not only "would have been acceptable" but has been accepted by what you term the "tribes." Practically all the islands sent emissaries declaring their loyal support to Aguinaldo and his government. Even the Igorrotes, and the Moros of Central Mindanao, who never submitted to Spanish rule, have acclaimed our president and government, and the former have sent gold dust to Aguinaldo to assist in the prosecution of the present war. In addition to this, the provinces of the archipelago have elected representatives—in some cases by a unanimous vote—to our "Asamblea," or house of representatives. It is true that certain Filipinos within the sphere and under the domination of the American forces, have professed being favorable to American rule. Though I do not approve it, I can quite understand their attitude.

When the British troops entered Bloemfontein, many of the Free Staters professed being favorable to British supremacy. But whatever may be the rights or the wrongs of the Anglo-Boer dispute I am quite sure that those Free Staters would much prefer Boer supremacy. The Filipinos in and around Manila are in precisely the same position as are the Free Staters in and around Bloemfontein. Take your army from the Philippines and you will soon discover whether the Filipinos are in favor of American rule! It is also true that on payment of certain emoluments by America the Sultan of Sulu has agreed to submit to American rule.

I do not wish to say anything unkind about the Sultan, but I am of the opinion that he was not entirely a free-will agent in the matter, and that his submission does not necessarily mean the submission of the people over whom he exercises a somewhat doubtful sway. At the time of the American Revolution there were no colonists who professed being favorable to English rule? Your great liberty-loving country will hardly be proud of purchased loyalty. Much has been made of the supposed favor with which some Filipinos are said to regard the prospect of American rule in the Philippines. But as a matter of fact there is an overwhelming majority of our people in favor of Filipino rule. If you doubt the truth of this statement; if you still honestly believe that the Filipinos are in favor of American rule, let a plebiscite be taken on the question.

Let it be conducted fairly and free from any threat of the sword of either General MacArthur or General Aguinaldo. Let chosen representatives of both parties superintend the voting which should be by ballot. You will find yourselves outvoted by a hundred to one even in the city of Manila. I can not give you any formal pledge, but I firmly believe that Aguinaldo and all the Filipinos would be prepared to abide by the result of such a plebiscite. If your Administration will also agree to abide by the result, the Filipinos will bear half of the incidental expenses. On behalf of the Filipinos I challenge you to put your contentions to this test. One of the first principles of republicanism is that the will of the people, expressed through the ballot, shall be supreme.

Are the Filipinos—the "savages," as some of your illustrious colleagues have defined us to be—the pleaders for, and you the deniers of, the application of this principle?

To the second part of your question, as to whether there will be any opposition to Aguinaldo's government, the reply is that we have never been foolish enough to imagine that any government in this world would be free from opposition. Is there no opposition to President McKinley's government? Was there no opposition to President Lincoln's government? Do you fondly imagine that, if your Administration ever succeeds by force of arms in establishing a government in the Philippines, there will be no opposition to it?

Undoubtedly there will be opposition—healthy opposition—to any government established in our country. But the opposition will not be between the so-called "tribes." Your question implies that if there is opposition to Aguinaldo's government, there will also be revolutions and other conflicts. If our government ever became unjust or corrupt; if it refused to admit that its "just powers of government were derived solely from the consent of the governed;" if it sought to thrust its will upon an unwilling people, it would deserve to be, and would no doubt be, subject to revolution.

But even just and righteous governments are not always exempt from such dangers. Will any high-minded American declare that the government of President Lincoln was unjust or corrupt? Yet against it was directed the greatest revolution known in the history of the world. Your question also implies that if we ever had a civil war in our country the event would prove that we are incapable of self-government. What, then, did the civil war in America prove? Every country in the civilized world has had its revolutions and its civil wars. Revolution has been the means by which tyrants and dictators have been dethroned. America will never rule the Philippines without becoming a dictator.

Give us complete franchise and the power which justly belongs thereto, and we will declare ourselves independent of America. Deny us the franchise, and you will become a dictator. Under such dictatorship there will be not only "opposition," but also an absolute certainty, sooner or later, of "revolutions and other conflicts." If you sincerely desire the pacification of our country, leave us to ourselves. Protect us, if you will, from foreign aggression, and earn not only the gratitude of our people, but also the grandest title of which a nation can boast—the title of liberator and defender of those who struggle for national life.

Your question further implies that if Aguinaldo were removed from the sphere of operations the Filipinos would be left like sheep without a shepherd. We have every confidence in President Aguinaldo. He is the object of our highest esteem and admiration. We are prepared to follow him as long as he pursues, as he has hitherto pursued, a policy of righteousness and justice. But if, through unforeseen misfortune, he should be removed from our midst, we have other men able and willing to lead our people.

Though we gratefully recognize his splendid services to our people; though we believe that he is a born leader of men, our national existence no more depends upon Aguinaldo than does the existence of the American nation depend upon President McKinley. You have evidently taken the splendid unanimity which our people have shown toward their chosen leader as an evidence that there is only one who is capable of leading. If our people had been divided into factions or "tribes" with a multiplicity of leaders, perhaps we should have been credited with the possession of many capable men! Verbum sat sapienti.

Question III. "The American nation wishes to protect the Filipinos in so far as regards their personal liberty and property, by means of an honorable government and by other licit means of just government, and to guarantee their prosperity and happiness. Do you think that the Filipinos would accept and be content under such a benevolent American government?"

I never knew that it was possible to "guarantee" happiness! President McKinley, and also the Philippine commission in its proclamation at Manila, promised to provide us with a government, the like of which is possessed by no other country in this world. According to the above-mentioned proclamation we are to have a "wise, just, stable, effective, and economical administration;" we are to be "guaranteed" an "honest and effective civil service;" the "collection and application of taxes" are to be on a "sound, honest, and economical basis;" "public funds" are to be "raised justly and collected honestly;" we are to have "prudent and honest fiscal administration;" "pure, speedy, and effective administration of justice;" our "civil rights" are to be "guaranteed and protected to the fullest extent;" "religious freedom" is to be "assured;" "all persons" are to "have an equal standing before the law;" "the evils of delay, corruption, and exploitation" are to be "effectually eradicated;" we are to be blessed by "a considerable reduction in taxation;" and the whole fabric of this magnificent government is designed for "the welfare and advancement of the Philippine people" who are to become the "constant objects" of President McKinley's "solicitude and fostering care." On top of all this you now propose to "guarantee" us "prosperity and happiness."

Why do you not adopt this sublime government in America? Do you not see that you and your commissioners "protest too much?" The word "honest" occurs four times in eight lines of the commissioners' proclamation. Why all this protestation of honesty? The greatest men speak least of greatness; the real artists seldom talk learnedly of "art;" the truest scientists are not forever dilating upon "the scientific;" honest men seldom protest their honesty.

Why do the commissioners repeatedly assure us of their "honestyisms" and "honest" intentions? Is it because they promise so much and give so little? Are they endeavoring to make up by promise what they lack in performance? I note that notwithstanding these lavish promises it still "remains with Congress to finally determine the form of government for the Philippines." The commissioners naively tell us that Arguella (Aguinaldo's emissary) was "satisfied" with the proposed government as set forth in their proclamation, but—simple soul!—he spoiled all by asking for some guaranty that this millennial government would become a fact in history.

But to be serious. Notwithstanding Senator BEVERIDGE's speech, in which he compared us to the "noble red man," who, I note in passing, has already been "benevolently assimilated," notwithstanding the apparent cordial approval with which his extraordinary speech was received by your connexionists, we cheerfully admit the absolute honesty and sincerity of intention of the people of America. At the same time, we do not believe for one moment that you or they could give us anything approaching in perfection to the government which your commissioners have promised.

But even if we were to admit that your ability is commensurate with your promises, we should still prefer to rule ourselves. All the "protection to life and property," all the "liberty under the Stars and Stripes," all the "peace and charity" and "liberty of opportunity" and "fostering care" and "honest" administration which your great nation might be able to give us would not compensate us for the loss of national life. Put the question to yourself. Would you be satisfied—assuming that some powerful nation were to deny you your independence and at the same time offer you the millennial government which you promise to give us—would you be satisfied with such foreign rule?

You know that you would not. Then do not unto others as ye would not that others should do unto you. There is no necessity to tell us how incapable we are and how enlightened you are; there is no need to argue about "legal" titles or "sovereignty by right of conquest and purchase" or the "task which Providence has imposed upon you." Put all such puerile considerations aside and come back to the golden rule. It is simple enough and embraces the whole of man's duty to man. It will show you whether you are doing right in the Philippines, and whether your legal contentions will stand the moral test. Come back to the Golden Rule and take your dripping sword from out our heart.

Question IV. "Do the Filipinos desire the construction of railways, factories, and other modern improvements?"

This question brings us down from the moral to the commercial aspect of the question. If we did not believe in the absolute sincerity of your intentions we should consider your question offensive, because it presupposes the possibility of our giving a reply in the negative. It is usually considered unnecessary to put a question seriously and deliberately unless there is the possibility either of a negative or of an affirmative reply. Now, you have been in our country. You address your questions to "eminent" Filipinos, and you thereby imply that the most enlightened of our people may be indifferent to the advantages of the arts of modern civilization. This shows how little you and your colleagues understand our people.

It also serves to destroy whatever confidence we may have had in your ability to provide a suitable government for our country, because if you do not understand a people you will never successfully govern them. But as we believe in your sincerity, we simply give a formal reply to your question. We do desire the railways and other improvements you mention, and we desire many other things which you do not mention, such as additional schools, universities, libraries, art and musical institutions, and all that pertains to the moral as well as the material advancement of our people. If it will pay your Government to build railways, it will also pay our government to do so.

You may tell us that we will not be able to find the capital for such public

works as are necessary if America withdraw her protection. We have never asked America to withdraw her protection. But if America will not protect us without annexing us, then, though we should prefer American protection, we can obtain complete protection without annexation from one of the greatest European powers. Under such protection we could obtain all the capital we require.

The final intimation in your circular letter is that "any other note on the well-being and prosperity of the Philippine government will be appreciated." I therefore beg to remark that I consider it somewhat strange that you make no mention of Filipino independence.

You ask us: Are we satisfied with Aguinaldo? Would there be opposition to his government, causing revolutions and other conflicts? Would we be satisfied with a guaranty of happiness? Do we desire railways and other improvements? But you do not ask the most important question of all, Do we desire independence? You might as well ask a drowning man if he feels cold, and if he would be satisfied with a "guaranty" that the water will be comfortably warmed! What the drowning man wants is life; what the Filipinos want is national life. What will all your honeyed promises amount to if you deny us our hearts' desire? Take from us our national life and we will never be satisfied with your promised cake and wine.

Material prosperity, though desirable, is by no means the most desirable condition. I therefore take the liberty of asking you and those who think with you a final question: Why do you shed all this blood? Why do you spend all this energy, all these millions of dollars, in the effort to thrust upon us what we desire least and deny us what we desire most? Is it for our good or for your own? For an answer to this latter question I beg respectfully to refer you to Senator BEVERIDGE'S speech on the 9th of January.

In conclusion, I beg to assure the people of America through you of our faith in their righteousness and of our belief that ere long they will give us the justice which we crave and cease to interfere with our dearly won independence.

Sincerely, yours,

SIXTO LOPEZ.

Maj. Gen. JOSEPH WHEELER, U. S. A.,
Washington, D. C.

Inasmuch as those who have assumed to describe the Filipinos, even commissions sent out by us, have blundered, consciously and unconsciously, with regard to the very people of whom they wrote, and believing that we should know something of the tribes of the Philippine Islands, I have also added a letter of Sixto Lopez covering this particular point:

It has been suggested that I should give a few facts about the so-called "tribes" of the Philippines.

Statements have been made to the effect that we are divided into 84 tribes, speaking different languages, and of all degrees of barbarism and civilization; that these "tribes" are at enmity with each other; that they would never agree to form a united, strong government; and that one warlike "tribe" is seeking to dominate all the others, and to rule with an iron hand the weaker and peaceable citizens of our country.

These statements are entirely incorrect.

That there are a few uncivilized or semicivilized peoples still inhabiting the northern part of Luzon and the interior of the island of Mindanao is a fact which no one disputes. They correspond roughly to the uncivilized or semicivilized remnants of the Indian tribes still inhabiting certain parts of the United States.

The Schurman commission is responsible for the statements about these 84 different "tribes." But it is clear that the commissioners' list has been compiled from imperfectly kept and still more imperfectly spelled Spanish records. The confusion into which they and others have fallen in reference to the so-called "tribes" is due to the fact that our country is divided not only into provinces, but into provincial districts, wherein slightly different dialects are spoken. The inhabitants of these provincial districts have been confused with the few mountain peoples. The latter have been subdivided by purely artificial boundaries, by which means a small community has been subdivided into two or more "tribes." Additional "tribes" have also been created by the incorrect spelling of local Spanish officials, and by giving two native equivalents for the same people, as, for instance, when two "tribes" are created by calling the one Buquils and the other Buquiles, which is equivalent to saying that there are two "tribes" in England, the English and the British.

Examining the list still more in detail, we find that there are said to be two tribes of Aetas, two more of Attas, and one of Atas. These are not tribes at all. The word "Aeta" is the Tagalog equivalent of "Negrito." This word has been spelled in three different ways by careless Spanish officials, and thus multiplied by the commissioners into three separate and distinct "tribes." The word "Baluga" is another native equivalent for the Negritos, and this word is also given by the commission as the name of a separate and distinct "tribe." It would be just as absurd to regard the Americans as one tribe and the "Yankees" as another, and then to increase these two tribes into four or more by misspelling the word "Americans," or by translating it into French.

The names are also given of "tribes" which do not exist in the Philippines at all, as, for instance, the Manguanes of Masbate, the Manguanes of Ticao, the Negritos of Tayabas. I have been in all of these places, but I never saw or heard of these "tribes," nor have I ever met anyone who had seen or heard of them.

Thus, by the processes of imagination, bad spelling, translation, subdivision, and multiplication, the 15,000 Negritos are split up into 21 "tribes."

There are also said to be 16 Indonesian "tribes" in the island of Mindanao. It would be interesting to know where the commissioners obtained this information. The interior of Mindanao has never been explored; all that is known of it with any degree of certainty is that the inhabitants are Indonesians, and that they are divided into sections under small chiefs or headmen.

It would be impossible, in the time at my disposal, to even attempt to explain all the errors and confusions of this list prepared by the Schurman commission. It is sufficient to say that by the processes which I have indicated the few semicivilized people and the civilized inhabitants of the provincial districts in Luzon and the Visayas have been multiplied into 84 "tribes."

Now, as a native of the country, and as one who has given some attention to the ethnography of the archipelago, both by personal research and by a study of the best works on the subject, I may be permitted to give a brief statement of the facts.

There has been a considerable amount of speculation about the Negritos, who are erroneously regarded as the aboriginal inhabitants of the whole archipelago. But Pedro A. Paterno, one of our most capable ethnologists, and others have shown that the Negritos are the surviving remnant of the slaves brought to our islands by the Moros in the eleventh and subsequent centuries. They are not especially negroid in appearance, and only those inhabiting the province of Bataan in Luzon have curly hair.

In the large and only partially explored island of Mindanao there are several Indonesian "tribes," the chief of which are the Subanos, estimated to

number from fifty to seventy thousand; the Mendayas, who are estimated to number 35,000; and the Tagabauas, comprising about 30,000. The Mendayas and the Manobos are said to practice, the one human sacrifice, and the other ceremonial cannibalism.

But the evidence of this is conflicting and untrustworthy. It is also said that the small "tribe" of 4,000 Ilongotes in Luzon are head-hunters. This has been denied and asserted on equally untrustworthy authority. I have never met or heard of anyone who had witnessed any of these practices. The information has always come from a neighboring people. The idea has probably arisen by travelers having seen the heads of criminals erected on spears, just as one might have witnessed the same thing a century or two ago on Temple Bar or London Bridge.

But if that proved head-hunting on the part of Ilongotes, it also proves that the English people were head-hunters.

If, however, these statements are true, they are paralleled by the scalp-hunting Indians of the United States and by the human sacrifices and ceremonial cannibalism of the Canadian Indians.

There are, also, the Moros of Mindanao and the Sulus. They are, of course, Mohammedans, and some of their institutions are contrary to the true ideals of morality and liberty.

There are a few natives on Mindoro who have not been Christianized nor tyrannized by Spain.

But they have a religion and a code of morals of their own, the latter of which they adhere to and which in many respects is superior to that practiced by the Spaniards. They believe in one God and are monogamists. They are a moral and hospitable people who do their duty to their fellow-man, worship God in their own way, and do not believe in any kind or form of devil.

The so-called wild men of Luzon are the Igorrotes, who are "a warlike but semicivilized people, living in villages, owning farms and cattle, irrigating their rice fields, mining and working gold and copper and forging swords and spear heads of iron," but who have never been converted to Christianity or subdued by Spain.

They are, however, prepared to submit to and recognize Aguinaldo's government and have sent him presents of gold dust to assist in the war. The Igorrotes are probably an early branch of the Malayan race which originally populated the island.

These uncivilized and semicivilized people are not separate genealogical tribes. The inhabitants of Mindanao are a homogeneous people of common Indonesian descent, who have become divided into sections under petty chiefs or headmen, some of which have slight differences of dialect which have arisen gradually owing to there being little or no intercommunication. But most of them speak the same dialect.

Let us now glance very briefly at the remaining millions of Filipinos, who are generally regarded as belonging to the Malayan race.

They constitute more than nineteen-twentieths of the entire population of the archipelago, and are divided into provincial districts inhabited by the Visayans, the Tagalogs, the Bicolos, the Ilocanos, the Pangasinans, the Pampangans, and the Cagayans. All of these provincial people belong to one race, and all of them are Christian people practicing the morals and arts of civilization and speaking dialects which are as similar to each other as are the dialects of the different provinces in England. The divergence between these dialects is much less than that between the Spanish and the Italian languages. I have traveled alone in Italy. I do not know Italian, but I have had no difficulty in understanding and in making myself understood by the Italians.

Similarly, I have traveled in the Visayas and elsewhere in the Philippines and have had very much less difficulty in communicating with the Visayans and the Bicolos. A Tagalog will become proficient in the Visayan or other dialects within a fortnight, and vice versa.

As a matter of fact, the difference between the dialects of the seven provincial districts would not be a real difficulty to independent self-government. First, because the difference is so slight, and secondly, because Spanish is the official language of our country, spoken by the educated people of all provinces; and, as the Schurman commission declares, these educated people are far more numerous than is generally supposed. When Tagalogs, or Visayans, or Bicolos meet they never dream of speaking in their own dialects; intercourse between them is carried on in Spanish.

And I may state parenthetically that the Filipinos have so excelled in Spanish as to have won valuable literary prizes in competition with the Spaniards themselves. Dr. José Rizal, at the age of 17, took the first prize in the Cervantes literary competition at Manila, which was open to Spaniards and Filipinos alike in both Spain and the Philippines.

But if the language were a difficulty under Filipino rule it would be a still greater difficulty under American rule, due to the necessity of the introduction of English, which would form a third language in our islands.

Other countries do not find that a difference in language forms a difficulty to self-government. In every country in the world, with perhaps the exception of the United States, there are two or more languages or dialects spoken by the people.

The only difficulty with regard to language in any of these countries has been due to jealousy as to which language should become the official one. This difficulty has already been settled in the Philippines.

Now, as to the supposed enmity between the so-called "tribes." Such enmity is quite unknown among our people. There may be, and no doubt there is, enmity between individuals, but the enmity does not exist between the so-called "tribes" or provinces. During the short term when our government was not interfered with the most perfect harmony and unanimity existed, and provincial and racial differences were never even thought of.

When our government was first established emissaries came from almost all the provinces and islands declaring their support on behalf of those from whom they came. Even the Moros of Mindanao and Igorrotes of North Luzon, who had never been subdued by Spain, acclaimed Aguinaldo, and were prepared to recognize his government.

Our "asamblea" or representative chamber, under the new constitution, comprised representatives of all the provinces. Some of these provinces include two or more islands, while some islands are divided into two or more provinces. Thus the province of Romblon includes the islands of Romblon, Tablas, Sibuyan, and other smaller islands, whilst Panay is divided into four and Luzon into many provinces. It should be remembered that these provinces are separated by artificial boundaries. They are geographical but not racial areas. Frequently in one province two dialects are used, as in North Camarines, where Tagalog and Bicol are spoken. On the other hand, in some cases two or more provinces use only one dialect, as in the 13 provinces where Tagalog is spoken. A Spaniard or other foreigner can not distinguish any difference in the accent of the inhabitants of these 13 provinces, although a native may in some cases, but not in all, be able to tell whether a speaker is from, say, Batangas or Bulacan. But to imagine that the inhabitants of these provinces generally are at enmity with each other, or that they would be likely to tear one another's throats, is as absurd as to suppose that the inhabitants of Massachusetts would naturally desire to rend the men of New Hampshire or Rhode Island.

The interrelations of the people of the several provincial districts show that no such enmity has existed or does now exist. For instance, in the

schools and colleges, especially in Manila, there are representatives of all the chief provincials, and it would be impossible to tell which were which. I may be pardoned for here referring to myself. I am a Tagalog; but it would be impossible for another Filipino to say, judging from external appearance only, whether I was a Bicol, a Visayan, a Tagalog, or a Pangasinan. The only way of discovering from which provincial district I came would be by means of the dialect.

There are many institutions in the Philippines the benefits of which are not confined to the people of any one province. For example, there is an educational institution (purely Filipino) granting scholarships which enable the winners to study in Europe. These scholarships are open to all Filipinos in the archipelago.

In Japan the official representative of the so-called "Tagalog despotism" is an Ilocano. In Madrid all the Filipinos have formed themselves into a committee and are working unitedly for independence. The president of the committee is a Bicol, the vice-president an Ilocano, the secretary a Visayan, the treasurer a Tagalog, and the remainder of the committee are Tagals, Visayans, Bicolos, Ilocanos, and Pangasinans. In Barcelona, in Paris, and in London the same diversity of province and the same unanimity of purpose obtain. Among all the Filipinos resident in Europe who represent the educated and moneyed classes, and who know something of European methods of government, there is not one "Americanista."

This is an important fact, because all these men are entirely free from the supposed despotism of Aguinaldo or General MacArthur. They are thus free from all external influences; yet every one of them has voluntarily chosen to support Aguinaldo and to work for the independence of our country.

As a matter of fact, with the exception of the few uncivilized tribes in central Mindanao and the Sulus, and the semicivilized Igorrotes and Negritos of Luzon to which I have referred, the Filipinos are a homogeneous people belonging to the Malayan race. They speak several dialects, but they are one people. They constitute an overwhelming majority of the inhabitants of the Philippines. They are opposed not solely to American, but to any foreign rule; and they are united in the desire for independence and for the purpose of maintaining a stable, independent government.

In conclusion, I again assert, without fear of contradiction, that the alleged antagonisms between the inhabitants of the provincial districts, or between the so-called "tribes," have arisen, not in the minds of the Filipinos themselves, but in the minds of those who do not understand our peoples and who have reached conclusions in no way warranted by the facts.

I have also been asked to say a word about a so-called "tribe" not included in the commissioners' list. It has been stated that "the Macabebes are fighting on the American side." The statement has been made in a manner which would convey the idea that the Macabebes are a large tribe, somewhat like the Tagalogs, and that it is therefore clear that all the Filipinos do not desire native rule. You will no doubt be surprised to learn that the Macabebes, or Macabebians, as they should be called, are simply the inhabitants of the town of Macabebe, in Pampanga.

The population of this town has been estimated at from four to ten thousand, all told, and of these only 200 are scouting for the American forces. If that shows disunity on the part of 10,000,000 of Filipinos—well, "make the most of it!"

I should like to mention that these same Macabebians also fought for Spain against the Filipinos in the insurrection of 1896. Apparently they prefer foreign rule of any kind, whether it be Spanish or American, to that of their own. We are glad, therefore, that such men as these are not fighting on our side.

SIXTO LOPEZ.

As showing that their desire is for justice and not for charity, I further supplement my remarks by the letter of the gentleman last named to Rev. Dr. Hale, dated February 7, 1901:

DEAR SIR: In the Boston Transcript of January 17 there is mention of a project to provide "practical help for the Filipinos" by "sending them farming implements and seeds, which they much need as a means toward gaining a livelihood." It is further stated that the project was set on foot by Miss Sarah E. Hunt, at the request of an American officer in the Philippines; that it has the approval of Governor W. Murray Crane and yourself, and that you, as president of the Lend-a-Hand Society, have been good enough to send out circulars asking for contributions.

While admitting that this movement is prompted by the best motives and kindest feelings, I must, in so far as I can speak on behalf of my fellow-countrymen, respectfully decline the proffered aid. In doing so, let me say that I feel sure if you only knew the real conditions in the Philippines you would not offer this indignity to a people who are silently suffering misery and death in defense of their rights, but who will not accept the bounty of any foreign nation; least of all of the nation that is causing the misery.

If the Filipinos were only freed from this terrible curse of "benevolent assimilation" and left in peace to continue the beneficent government which they themselves instituted two years ago, they would not need the charity which I am sure they will now politely but firmly decline.

It is said that the present policy in the Philippines is an imperialist policy. Upon that I here offer no opinion. But this I know: It has always been the policy of imperialism to give charity while it withholds justice; it has always been the custom of peoples freeing themselves from tyranny to demand justice and refuse charity. In this the Filipinos are not an exception. They do not shrink from suffering when honor demands it. They are not as exercised about an empty dinner pail as some persons seem to be about a full one. Better to have gnawing hunger with self-respect than surfeit with shame. Better to be a starving Filipino asking for liberty than a descendant of Washington denying it.

We do desire an amelioration of these conditions of misery and horror. We desire it on behalf of the patriot fighting against a reincarnation of the principles of George III, and on behalf of the wife and mother whose stifled cry may never reach the ear of pity in America. But we will accept that amelioration only from the hands of justice. That which is ours by right we will not accept in charity. Give us justice, and we ourselves will be able to attend to the wants of our people.

The Filipinos are described by competent authorities as "excellent agriculturists." Improvement in some of their methods is possible, and they know it. But let me be fair. It is possible—as the unknown officer writes to Miss Hunt—that there are "natives digging with bamboo sticks and scooping the earth up with their hands when repairing roads" for the American forces. This is a new kind of agriculture. No doubt it will result in more digging—of graves! It is also possible that these misguided natives—the only class with whom the officer comes in contact, and from whom he receives his utterly erroneous impressions and information—may be willing to accept charity. If the lend-a-hand society desires to help them, be it so. But let each parcel of seeds and each implement be addressed to those who are building roads with hands of shame in order that their own brethren may be shot.

If I were permitted a suggestion, it would be this: Let the money received from the generous donors be applied, with their permission, to purchasing and supplying to every person in the United States a copy of the Declaration

of Independence, with the third paragraph printed in large capitals. This rare old seed, so long hidden away in neglected barns, might thus bring forth fruit that would bless both your country and mine—yours with honor, mine with liberty and peace.

I am taking the liberty of writing this in the form of an open letter, because I desire that it should have the same publicity as the appeal in the Boston Transcript.

With every assurance of my respect and my appreciation of your intended kindness, sincerely yours,

SIXTO LOPEZ.

WASHINGTON, D. C., February 7, 1901.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SULZER. Mr. Speaker, I renew my request that all members may have an opportunity to print remarks on this bill.

Mr. SHEPPARD. I object.

The SPEAKER pro tempore. Objection is made.

Mr. HULL. Mr. Speaker, I yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Speaker, I beg to say a word about the special provisions of these amendments. First, we ask Cuba to agree to maintain her independence and her territory against all foreign countries. That is the Monroe doctrine. We have the right to enforce this. Second, we ask Cuba not to make herself the slave of any foreign country by a public debt which she can not pay. That is also really the Monroe doctrine, because it is necessary to its enforcement, and the gentleman from Missouri [Mr. COCHRAN] admitted this.

Third, we ask Cuba to consent that we may intervene to preserve her independence against foreign nations. That is also the Monroe doctrine, and is our guaranty to her of the very independence which we have given her.

We likewise ask Cuba to consent that we may intervene to maintain republican government. This is a guaranty of liberty, the same guaranty of a republican form of government that the United States gives to every free State of this Union.

We also ask Cuba to agree that she will discharge the obligations which were imposed by the treaty of Spain with the United States, and that we may enforce this agreement.

There is not time in the three minutes remaining to go over these obligations in detail.

They include such fundamental rights as the protection of the property of Spaniards, their free exercise of their religion, their right to fair trial in the courts, and the right of Spain to send consuls. These treaty rights we must demand of Cuba to assume.

It was agreed by the treaty that we should occupy the island for a time, that we should perform these obligations while in such occupancy, and that on its termination we would advise any government that should be established to assume these obligations.

Now, when we ourselves have assumed the responsibility of establishing that government, the right of advice becomes a duty, and to require performance of these obligations is nothing but justice.

We ask Cuba (fifth) for sanitation. This is necessity, and above all law. Self-preservation, Mr. Speaker, is not only the first law of nature, but sanitation is humanity to the people of Cuba as well as to ourselves. We ask Cuba (seventh) to give us coaling stations. This is for her own defense, for the Navy will be the only defense of the Pearl of the Antilles against the desire of foreign nations.

The provisions of this bill are well drawn as to Cuba. They are for her liberty and not against it. We could not improve them.

Let us turn to the Philippines for a minute. There we find 80 different tribes with 20 different languages, different habits and customs, different institutions, and different conditions, so that there is civilization in one place and semibarbarism in others. Each place may need a different form of government as its laws and customs differ, and the establishment of such governments, with officers, municipal, judicial, executive, or legislative, is not a matter for code legislation, but must, for the present, be lodged in the Chief Executive.

This was the rule of the common law, that mother of free institutions. It was the chief executive which established republican government among us, and established the legislatures of the colonies which became these United States. The establishment of free institutions by the Executive is no dream. It is history; it is practical, and it is a necessity.

Mr. Speaker, under leave of the House for that purpose I submit the following in extension in the RECORD of what I said more briefly in the House.

The principles of the Cuban and Philippine provisions of this bill are those that make for liberty and are required by our own pledged faith; and I am not sorry that my time to speak was short if I was thereby induced to state them so briefly that he who runs may read.

These provisions establish the guaranties of liberty and republican self-government that we have pledged to Cuba, and they grant to the Philippines the inestimable privilege of receiving civil government, as fast as circumstances will permit, by the mere act

of the Executive, without waiting for ponderous legislation by a Congress 11,000 miles away. They are for liberty in each case.

It is not without reason that those who have attacked these provisions have not quoted them and have indulged in wild attacks, talk about tyranny, and breach of faith and violation of Cuban independence. We favor these provisions, because they guard that independence, carry out our plighted faith, and enable the necessary tyranny of military rule to be changed as soon as may be into government by law.

We challenge those who make these attacks to find one word in these provisions to the contrary. They bear the minutest scrutiny.

We have declared that the people of Cuba are and ought to be free and independent. We mean to carry out that declaration and protect her against any foes of that independence. Beyond question, there are such foes. The pearl of the Antilles has been the long-coveted prize of the world. Her fertile soil, her abounding minerals, her balmy clime, her commanding position, her sheltered ports that nature itself has fortified, her domination of the mid sea of the Western Hemisphere and of the isthmus that will soon be a gateway of the world's commerce—all those considerations make every foreign nation covet her.

The mere declaration of the Monroe doctrine and that the United States would not permit European aggression on the American Continent has sufficed to protect most of the mainland. But it did not protect Central America against settlements which will yet be a thorn in our side. England in Nicaragua and France in Panama are standing examples of the folly of bare declaration.

The Monroe doctrine did not hinder foreign nations from going into Mexico, nor induce them to withdraw, until they saw that doctrine supported by the veteran hosts of both sides of the civil war. Cuban independence and the Monroe doctrine must stand and fall together. They are not merely to be declared, but to be maintained, as well against open force as against secret machination, bribery, intrigue, and all the means that great empires use on weak and especially new-born States. We are determined that the wiles that have bought or conquered the East Indies are not to be used in the West, and the right of America to secure this, and to maintain Cuban independence and the Monroe doctrine, is therefore to be so recognized by Cuba itself that Europe shall never put it in dispute.

Could any less be asked? Yet this is all that is done by this bill. It bears detailed examination. There is nothing of it that is not directed to these objects and these alone.

This is the express statement of the bill, that it is for the recognition of the independence of Cuba and in order to leave the government of Cuba to its people, in fulfillment of our declaration in 1898, viz:

Provided further, That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled, "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people."

This is our act, and we are to withdraw when a government shall be established which shall recognize the principles before stated, viz—

so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

First, that Cuba will maintain its independence and her territory and population against foreign domination.

I.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

What is this but protection? What but the American Monroe doctrine?

The second provision is to the same end—that she shall not become the bond servant of any other country by contracting a debt that she can not pay.

II.

That said government shall not assume or contract any public debt to pay the interest upon which and to make reasonable sinking fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

The distinguished gentleman on the other side of the House [Mr. COCHRAN] has expressed this far better than I can in this very debate:

I concur in the views of many of my colleagues, who have declared in my presence that in respect to several matters of the utmost importance it is the duty of this Government, and its right, to have something to say as to the affairs of Cuba.

News comes from Cuba that no objection will be interposed to a stipulation guarding this country against the danger of treaties with foreign

countries inimical to the interests of the United States. I am glad to know this, for I unhesitatingly declare that it is not only the right but the duty of this country to supervise the foreign power relations of the island in such a way and to such an extent as will save Cuba from embroilment with foreign powers. I think that we should see to it also that Cuba shall contract no debts or obligations of a nature or in quarters which might in the future imperil her safety.

Mr. Speaker, not long ago the German Emperor sent a man-of-war to the island of Santo Domingo as the bearer of a sight draft against the Government of that island. Bombardment and invasion were threatened, and the poor islanders were compelled to pay the claim. Five or six years ago Nicaragua was invaded by the English and a similar outrage was perpetrated there. Are these cases to be regarded as precedents?

Our Government made no protest, and so the proceeding was at least tacitly approved at Washington. It may be said the claims were just, but who knows they were just? The little Republics thus assailed demanded arbitration, and the fact that it was refused is some evidence that they were robbed.

The United States is bound by the highest considerations to safeguard Cuba against similar complications; for, Mr. Speaker, any attempt of a foreign power to repeat in Cuba the proceedings in Santo Domingo and Nicaragua to which I have referred would not be tolerated by the United States. To put it plainly, whatever would endanger Cuba in the future is of interest to the people of the United States, and it is only reasonable that we should seek to throw about the island such safeguards as are manifestly necessary to her safety.

Third. To protect Cuban independence, to maintain a republican government, and to carry out the treaty of Paris, we claim a right of intervention.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

This right of intervention is not against the liberties of Cuba. It is necessary for their preservation. It is the same right that we exercised in Mexico. The United States guarantees republican government to the free States of the Union under the Constitution, and it would intervene in State affairs, if necessary, to maintain that guarantee against anarchy or tyranny. This clause of the Constitution is no infringement of the liberties of the State, but the contrary. The like clause is also as to Cuba.

The remarks of the gentleman from Missouri [Mr. COCHRAN] apply fully to this clause.

By the treaty of Paris the United States agreed that Spanish citizens in Cuba should be protected in life, religion, property, and civil rights, especially in the courts. These rights are by our plighted faith, as well as in accordance with the just and equitable provisions of the law of nations.

Articles IX to XV of the treaty state them in detail.

ARTICLE IX.

Spanish subjects, natives of the peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce, and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

ARTICLE X.

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

ARTICLE XI.

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts and to pursue the same course as citizens of the country to which the courts belong.

ARTICLE XII.

Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

1. Judgments rendered either in civil suits between private individuals or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

2. Civil suits between private individuals which may on the date mentioned be undetermined, shall be prosecuted to judgment before the court in which they may then be pending, or in the court that may be substituted therefor.

3. Criminal actions pending on the date mentioned before the supreme court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

ARTICLE XIII.

The rights of property secured by copyrights and patents acquired by Spaniards in the island of Cuba and in Porto Rico, the Philippines, and other ceded territories at the time of the exchange of the ratifications of this treaty shall continue to be respected. Spanish scientific, literary, and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

ARTICLE XIV.

Spain shall have the power to establish consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

ARTICLE XV.

The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels, not engaged in the coastwise trade.

This article may at any time be terminated on six months' notice given by either Government to the other.

The last article is a merely temporary arrangement.

Now, it is true that we limited our obligations to the time of our occupancy, agreeing only to advise the Cuban government to assume them at the termination of that occupancy.

ARTICLE XVI.

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy advise any government established in the island to assume the same obligations.

When that article was framed it was claimed that there was an independent Cuban government in existence, with its president, legislature, and courts, a government which we were aiding and whose action we could not control. We likened our intervention to that of France in the American revolution. The similitude has failed. We have found it our duty to help create a new civil government in Cuba, and under these circumstances our right of advice has become a duty to see that the new government assumes these obligations, for they are already historically part of its constitution—the conditions of its existence, treaty landmarks bought by the blood of Americans in the work of rescue of Cuba from the Spanish yoke.

So are the rights which have accrued during our occupancy, and which Cuba is to respect.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

There is one topic that has been forced on us as a matter of necessity. We can no more tolerate the yellow fever in Habana than we could the protection by its government of a nest of pirates making war upon mankind. Steam has brought that port too near to us for the comfortable enforcement of weeks of quarantine. We therefore make proper sanitation a matter of treaty agreement, to be conducted on plans already devised or to be agreed upon. Be it that the provision is unusual, I admit it. But it is necessary most of all to that part of the United States chiefly represented by members who oppose this bill, but from whom I have yet to hear a word of protest as to this provision. Civilization itself demands that a nation or city shall not become a breeder of any plague that can be prevented.

We ask, therefore—

V.

That the government of Cuba will execute, and as far as necessary extend, the plans already devised or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the Southern ports of the United States and the people residing therein.

The provision as to the Isle of Pines is a mere reservation of a question of boundary for further settlement. It was always a question and a fair question.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

The foregoing discussion explains the important provision for coaling stations. The defense of Cuba against any foreign power must be by a fleet. Who can forget when our blockade of Santiago was almost broken by a rough sea, so that we had to contemplate going to Key West to coal? Other nations have coaling stations in the Gulf of Mexico. The United States have none, and the possession of such stations is essential to her ability to maintain Cuban independence against any foreign navy and to protect her own Navy there.

It is therefore provided:

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

Unless the United States have these stations, Cuban harbors would be a mere shelter to foreign fleets. What would strong nations care for the neutrality of our ward? If we would be guardian we must be able to protect.

It is for mutual protection and in order to the guarantee of liberty and law in Cuba and its full and plighted independence that we ask that these provisions be embodied in its constitution and in treaty with the United States.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

By such a treaty the United States also becomes bound. It recites the act of 1898. It reaffirms our pledge. It binds us to the objects mentioned in these provisions, and especially to the guaranty of liberty, independence, and republican government against all enemies, foreign and domestic.

But we are told that these provisions should not have been first formulated by us.

The gentleman from Missouri, whom I have quoted, says that their formulation during the session of the Cuban constitutional convention is an insult, and that we "suspend over the heads of the delegates to the Habana convention as a menace the sword of a dictator;" that the threat of intervention endangers peace, and that we multiply the difficulties of the convention by these provisions.

I do not think that calm reflection will so regard the matter. These matters are vital to the welfare of Cuba. They are vital to the Monroe doctrine. They can not be too soon formulated. Do gentlemen urge that we should let the Cuban convention adjourn, and then step in afterwards to demand a new assembling of the convention to agree to these necessary provisions? Are we to bid against foreign nations for the right of guardianship, for coaling stations, sanitation, and the needs of the hour? Are we to turn the lamb loose to the company of the lion and the bear, confident that we can win her back to the fold by waving the flag? We owe a duty to her. We owe a duty, also, to America—not to ourselves only, but to the continent that is under theegis of our protection.

We disclaim sovereignty. We pledge to Cuba full independence. But it is a necessary and historical condition of that independence that she shall help America in its self-protection. We think it more honest to be frank and true. All that we ask is for Cuban welfare. We are friends, and between friends there shall be no concealment. Nor can misunderstanding last. It needed only such a frank statement as this to remove doubt as to our intentions in this all too tempting island, and to assure its people that Congress as well as the President stand by their pledge, and that America renews its troth and trust to maintain the independence that its sons have achieved.

What the future may bring we know not. Cuba is too close to the United States not to desire the most intimate trade relations that will build up the island with American capital. This treaty will be but the prelude to many more—desired by both. It does not go into the particulars; that must be the free agreement of both. It includes only those fundamental articles which are part of the constitution of the island, settled by history, settled by our pledges and responsibility, settled by treaty and necessity, and settled by the lives of our sons.

This bill provides further that the President may establish civil governments in the Philippines and maintain and protect the inhabitants in the free enjoyment of their liberty, property, and religion until Congress shall legislate on the subject.

All military, civil, and judicial powers necessary to govern the Philippine Islands, acquired from Spain by the treaties concluded at Paris on the 10th day of December, 1898, and at Washington on the 7th day of November, 1900, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion.

These are the powers which were conferred upon the President as to Louisiana and again as to Florida. The precedents have been many times referred to.

This act is guarded by many new and careful restrictions. Franchises are to be repealable; full reports to be made to each session of Congress; public lands, timber, and mining rights are not to be sold, leased, or disposed of; no franchises shall be granted that are not immediately and absolutely necessary, and all franchises shall terminate one year after the establishment of permanent civil government. These restrictions are as follows:

Until a permanent government shall have been established in said archipelago full reports shall be made to Congress on or before the first day of each regular session of all legislative acts and proceedings of the temporary government instituted under the provisions hereof; and full reports of the acts and doings of said government, and as to the condition of the archipelago and of its people, shall be made to the President, including all information which may be useful to the Congress in providing for a more permanent government: *Provided*, That no sale or lease or other disposition of the public lands or the timber thereon or the mining rights therein shall be made: *And provided further*, That no franchise shall be granted which is not approved by the President of the United States, and is not in his judgment clearly necessary for the immediate government of the islands and indispensable for the interest of the people thereof, and which can not, without great public mischief, be postponed until the establishment of permanent civil government; and all such franchises shall terminate one year after the establishment of such permanent civil government.

It may be fairly maintained that such a provision as this is absolutely essential to the establishment of government in these islands. It is idle for the leaders on the other side to insist that this is the establishment of tyranny, because it is the same law under which free governments have been established by Democratic

Presidents under the authority of Democratic Congresses. The only difference is that this act is guarded by restrictions, which do not exist under these precedents.

It is fair to say, also, that this is the only way in which civil government can be simply and well established. Government must precede legislation. There is no body of men as numerous as the population of these islands which have not laws of their own to be administered. Such administration is the duty of the Executive. We owe it to our free institutions that military government should cease as soon as may be and government by law should take its place. We must therefore authorize the Executive to appoint officers, who shall establish courts and administer the laws as they find them or as they have been necessarily altered by the changed relations of these islands. Our own history shows this exact policy.

The thirteen original colonies received their self-government in exactly the same way—not from the legislature of England, but from its Executive. Some had charters granted by the Crown. Others had legislatures elected under proclamation. My own State and the great State of New York administered their governments under proclamations of Queen Anne, which appointed a governor, commanded the election of a legislative assembly by the freeholders, established courts at law with all the powers of the great law courts in England, and ordered the administration therein of the law of England so far as applicable to the colony, as well as of such laws as should be duly passed by the colonial legislature. It is from such proclamations or charters that the original States have received their free institutions, and have passed them on to the States which have been since formed.

It is likewise interesting to observe that the complaints of our forefathers were universally directed, not to the action of the Executive in establishing such governments, but to the action of the English legislature in attempting to interfere with them. Let us benefit by this experience. There are laws and institutions now existing in the Philippines. Every man there who has property or is engaged in trade must desire the establishment as soon as possible of officers, who shall execute those laws. They demand government by law as one of the rights of man. Such government, so instituted by the President, will be according to customs and rules which they understand, modified only by the great principles of freedom which guard our courts, protect the administration of justice in criminal cases, and make for the liberty of the citizen.

It is to be remembered also that there are not one, but many islands in the Philippines, and not one nation, but many tribes, with different languages, institutions, and laws. Yet our friends on the other side object to a provision which enables the President to send proper officers to each locality to see to the administration of these laws. They ask, on the contrary, that Congress, without knowledge on the subject, and with the blindness which we must have as to the conditions affecting men of other races in another clime, scattered over various islands, in another hemisphere, should nevertheless attempt to make codes of law for them, which are as likely as not to be repugnant to every condition to which they are used and to be subversive of the whole system of jurisprudence with which they are familiar, while they are certain to be unsuitable to the various conditions prevailing in the different parts of these islands.

The provisions of this bill make no such fatal mistake as this. They provide for the establishment of that civil government to which the islanders have a right. It will be a government of law. It will be subject to change by Congress, if change become necessary; but the example of parliamentary interference with the American colonies renders it desirable that such Congressional interference shall be exercised with discretion. We may better trust the men of these islands to work out their own free institutions under the guidance of the patriot who now sits in the chair of the President, and under the general regulations for protection and freedom that will be established there, as they have been established wherever the government exists under the American flag.

Let us not think, however, that Congress has nothing to do. It has much to do. We must establish our trade with the Philippines upon such a basis as will bind them to us by ties of affection and with bars of steel. Trade brings men closer than bayonets or laws. We must in time by law turn the temporary government into one that is permanent. But we can not act hastily.

It is a curious contrast that those who have been urging that we should let the Philippines have nominal independence under the military tyranny of Aguinaldo should now wish to bind them hand and foot with American-made codes.

This bill gives them real independence. It refrains from inflicting upon them foreign legislation, leaving them to be governed by their own laws, modified only by such changes as shall be made by those who know their wants and are on the ground. Perhaps soon those changes will be made by representative bodies elected by themselves. Our friends are mistaken when they think,

or at least call, this bill a measure of tyranny. It is a measure of necessary administration. It is likewise a measure by which the Philippines are allowed to go on for themselves in the path of progress. Those who desire Congressional legislation are rather the promoters of tyranny, for Congress would be making laws without knowing the conditions, and there is no tyrant like ignorance.

We support the provisions of this bill both as to Cuba and the Philippines. Those provisions are timely. They are necessary. They recognize existing needs; they enable the settling of civil government, and they give proper powers, in the interest of law and liberty, into the hand of that servant of liberty and law who fills the office of President of the United States.

Mr. MOODY of Massachusetts. Mr. Speaker, had the gentleman from Michigan not addressed the House I should have contented myself by sitting in silence during this debate. But I can not agree to the view which he takes of these resolutions. If I gave to them the meaning and tendency which he attributes to them, I should have no hesitation in voting "no." If I thought that there was hidden in the language of the resolutions the purpose to accomplish the results he desires and advocates, I should have no hesitation in voting "no."

I do not understand that the Senate amendment is in the nature of an ultimatum; rather in the nature of a proposal, which we hope the people of Cuba, in the interest of our country and theirs, may accept. It authorizes the President, under the conditions named, to deliver the island, now under our military rule, to the control and government of its people. It is not necessarily the final word. We are dealing, as the gentleman from Ohio well said, with the present—the duty of to-day.

I am one of those who voted for the first time in the affirmative upon any of the Cuban resolutions, for the resolutions as they finally passed the House of Representatives. I had steadily voted against all declarations upon the subject of Cuba up to the House resolutions which were finally adopted. I believe that the American Congress and the American people are bound in honor by that part of the resolution which is commonly called the Teller resolution. Whether it was wise or unwise, we gave our pledged word to the people of Cuba, to the people of the world, and to our own honor. [Applause on the Democratic side.]

I believe that it is the ultimate duty of this country to fulfill that pledge to the letter. [Loud applause on the Democratic side.] I realize the embarrassment which surrounds the occasion. I like not this method of legislation. It is "yes" or "no" upon many propositions with no qualifications. With no opportunity for amendment and little time for deliberation, how difficult it is to come to a proper conclusion which one may not regret in the end.

As the gentleman from Missouri [Mr. COCHRAN] has well pointed out, there are many things in this amendment which are for the interest of this country and for the interest of Cuba alike. It may be that all the conditions prescribed are for her interest as well as ours. I realize that free and independent nations can not be built up in a day out of the ruins of centuries of despotism.

I persuade myself—and it is the only thing that induces me not to vote against the motion—I persuade myself that our action is but one step forward, and that a long one, in the accomplishment of our promise, that the plighted faith of Congress, the declaration of the Republican party, and the message of the President of the United States in God's good time will be fulfilled. [Loud applause on the Republican side.]

Mr. HULL. I yield five minutes to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS. Mr. Speaker, it is utterly impossible in the five minutes allotted to me to attempt any general discussion upon either of the amendments which have been proposed to the Army appropriation bill.

I can say in brief, however, that I indorse to the fullest extent in letter and in spirit the resolutions relating to the island of Cuba and those relating to the Philippine Islands. I regret that the gentlemen on the other side of the Chamber in their discussion this afternoon upon the pending measure have not seen fit to point out substantial objections rather than indulge in invective.

Mr. WILLIAMS of Mississippi. Give us time and we will.

Mr. HOPKINS. Now, we all know that there is no argument in abuse and no persuasion in vituperation. They have utterly failed to show that there is anything in this Philippine proposition that is unconstitutional and is not in accordance with the high and patriotic principles that have thus far governed and controlled the Republican party.

As my colleague from Iowa [Mr. LACEY] this afternoon pointed out, the resolutions are predicated upon a law more than one hundred years old, a law that was framed by the fathers of the Constitution for the purpose of extending liberty and the protection of law to our newly acquired possession, the Louisiana territory. This law, as I have said, is a substantial reproduction of that.

Mr. Speaker, as everybody familiar with history knows, President Jefferson appointed Governor Clayburn under the great

powers contained in that law to take possession of that territory. I want to ask my Democratic colleagues to-day if they are not willing to admit that his administration of the law was beneficial to the newly acquired possession and to the people that lived thereon?

Everybody knows that the people were unacquainted with our language, unfamiliar with our institutions, and that they hated our flag, and yet with legislation of that kind we developed these people until to-day they are among the most cultured and patriotic of the American citizens.

So, sir, will it be with the Philippine Islands and the Filipinos themselves. We must give them to-day such legislation as their character and their civilization warrant. The proposed legislation in this bill is better adapted to govern and control these people than it would be possible for us to frame should we take months to do it, because it puts it in the hands of the President to take trained men, familiar with the island, familiar with the character of the people, to legislate for them in accordance with the varying degrees of their civilization.

Now, one word further, Mr. Speaker, and I am done. The gentleman from Tennessee [Mr. RICHARDSON], when he was addressing the members of the House this afternoon, took occasion to denounce the President of the United States, and claimed that he had violated his pledge to the people.

I deny, Mr. Speaker, that he has violated any pledge given to the American people, or to the people of the world. I claim, as did the people in the November election, that every promise has been kept, every pledge has been fulfilled, and that his Administration will compare favorably with that of the Father of our Country and that of the sainted Lincoln. [Applause.]

Mr. SULZER. I yield to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. Mr. Speaker, one of the most memorable declarations of one of the greatest patriots in this country—Patrick Henry—was, "By the light of the lamp of experience shall my feet be guided." That applies, Mr. Speaker, to nations as well as to individuals, and if we could but content ourselves to do—

The SPEAKER. The time of the gentleman has expired.

Mr. SULZER. I yield to the gentleman from New York.

Mr. SCUDDER. Mr. Speaker, the conditions under which the United States troops are to be withdrawn from Cuba are contained in the amendment offered to the pending Army appropriation bill. It is now provided by the measure that the United States is to leave the government and control of the island of Cuba to its people when they shall agree, either in their constitution or by ordinance, to eight provisions, which may be briefly summed up as follows:

First. No treaty inimical to the interests of the United States with any foreign power.

Second. No debt beyond the power of the island revenues to meet and cancel.

Third. The right of the United States to intervene whenever the independence of Cuba is threatened, and to maintain a government adequate for the protection of life, property, and individual liberty.

Fourth. Acts of the United States during military administration to be ratified.

Fifth. Development of plans to prevent recurrence of epidemics.

Sixth. Isle of Pines to be omitted from Cuban boundaries until title thereto can be adjusted.

Seventh. The selling or leasing of land necessary for coaling or naval stations.

Eighth. A treaty embodying all these provisions.

This Cuban amendment, I think, will be upheld by the country. It meets a situation which is complicated and difficult, but the duty and wisdom of dealing with which far outweigh the considerations not to deal with it at all.

The amendment meets a situation which many wish did not exist, but which does exist, and which must be met.

The United States wrested Cuba from the clutch of a despotic Government which was converting the Pearl of the Antilles into a desolate island. At the cost of blood and treasure the United States undertook to give the Cuban people an opportunity to erect for themselves a government free and independent in conformity with a constitution which should meet their needs and requirements and insure peace, prosperity, and a permanent government. By this proposed amendment the United States demand guaranties as to the future of the island to promote these objects as much as to safeguard its own coasts from the dangers of hostile navies, which, in the course of events, might use Cuba, whether in alliance with a Cuban republic or by aggressive action, as a base of operation against ourselves. This the United States may well claim in all reason without compromising its conscience in the least.

There was no Cuban republic when this country went to war

with Spain, but when we swept Spain out of the West Indies we did so in conformity with the ardent prayers of the people of the island.

Notwithstanding this fact, the constitution recently adopted for the island by a convention of Cubans makes no mention of the obligation due from the islanders to the United States for their emancipation from Spanish rule, but, on the contrary, ignores the subject, while the Cuban politicians who are now in control do not hesitate to give out the most violent expressions of hatred for the United States and our people.

Recently at Habana and elsewhere on the island was celebrated the anniversary of the beginning of the revolution of 1895 against Spain. The occasion brought out in the public speeches to large assemblages the sentiments of the popular leaders, showing the bitterest animosity toward this country. Vigorous protests were made against the proposal to submit the new Cuban constitution to the United States Congress for sanction. The request of the United States for naval stations was denounced, and there was a general popular expression of impatience with all Cubans who suggested any agreement for mutual relations between the United States and the new republic.

In a meeting at the Tacon Theater, one Señor Zaya is reported to have gone so far as to blame the policy of intervention, which, he said, had not been beneficial to Cuba, had prevented progress, and caused unrest. The island, he insisted, must be a sovereign nation. Sovereignty lay in the machetes of its inhabitants. He said that the question of giving the United States naval stations on Cuban soil was being suggested. The only possible answer to this was a refusal. Cuba must be grateful to the United States, but she must not allow her gratitude to become servile, etc.

There were many other speeches in the same tenor. The new constitution establishes universal suffrage; it vests the political power in the hands of an ignorant and thriftless population, composed largely of negroes, in view of which fact the prospects of peace and prosperity for the newly enfranchised island would be poor were the United States to abandon Cuba at this time.

On the other hand, the property holding and commercial classes are greatly alarmed. There are on the files of the State Department confidential letters from substantial business men, not only in Habana but in all other large cities of the island, begging this country not to leave them at the mercy of the adventurers and professional patriots now influencing Cuban sentiment. These men say that when the United States resigns its authority the local officials, whose ideas of government are derived solely from their Spanish predecessors, will blackmail every business house, bank, and sugar plantation on the island; that life and property will be in danger.

This fear, it is said, amounts to a panic. The Spanish Government, while woefully corrupt, at least was capable of maintaining order in the commercial centers. No grounds exist for such a hope from a purely Cuban government. Upon the United States has devolved the responsibility of protecting life and property in the fulfillment of the conditions of the Paris treaty.

The withdrawal of all United States authority and force from Cuba at this time, in my opinion, will be the signal for trouble. In view of our blunder in passing both the Foraker amendment and the Teller resolution two years ago, I am opposed to the forcible annexation of the island of Cuba; but I recognize the duty of this Government to see that public order is maintained there, and that the protection to life and property guaranteed in the treaty of Paris to the people of the island be carried out. Cuba was surrendered to the United States. The United States, in accepting its cession, pledged due protection to the rights and lives and property of all its people. In transferring control of the island to the Cubans, or a dominating faction of them, the United States Government would not free itself of its pledge, its responsibility, its high duty.

Mr. Speaker, one of the chief reasons which justified this country's intervention to rescue Cuba from Spanish misrule is to be found in the fact that the deplorable sanitary condition of the island made it a dangerous nuisance.

It was like having an open cesspool opposite one's front door. The thing had to be abated. Its existence was a standing menace to the welfare of the American people. It involved them in periodic plagues which cost hundreds of lives, great financial loss, and brought business over a large part of the country to a standstill. It had to be gotten rid of.

At a very considerable expense of life and money we have gotten rid of it. By the application and enforcement of modern methods of sanitation at Habana and Santiago the scourge of yellow fever has been greatly mitigated—almost stamped out. It has now become the duty of the Congress to see to it that a return to the old condition of affairs be not permitted. This is a subject with regard to which there must be a special understanding between the United States and the Cuban republic of the future.

How this result can be accomplished if Cuba is to be an independent sovereignty is a problem not without its difficulties. If

the Cubans ever get to control things absolutely it is not unreasonable to assume that, in the light of the past, all the sanitary improvements which have been introduced will quickly go by the board. The Cubans did not want those improvements. They did not want to be clean and healthy. They opposed the American innovations in this respect as so many assaults upon their traditional privileges and personal freedom. They preferred the old way of doing things. They liked smells; they had a fondness for dirt; they resented the deprivations to which they were subjected.

If they are left quite free to do as they please they will return to the old state of things. Then the yellow-fever fiend will rage once more. This the Congress must prevent. It is one of the things that "Cuba libre" involves. It is unfortunate the Congress did not think of it from the start.

Whether the Cubans will accept or repel these amendments is of more interest than importance. They are acceptable to and will be accepted by the United States. They will be insisted upon by this country. The Cubans will do well also to accept them, for if they do not voluntarily agree to them they will be required involuntarily to conform to them. This Republic is done with nonsense. It accepts its responsibilities, and it recognizes alike the dominance of duty and the duty of dominance, wherever it is under contract with mankind to plant civilization, order, pacification, and reasonable liberty, firmly regulated by just and equal law.

What we ask of the Cubans is not unreasonable. It is consistent, in my opinion, with what should be accepted as the purpose and spirit of the Teller resolution. I concede that resolution has added to our embarrassment in dealing with this question. Could I cast a separate vote on each of the proposed amendments, I should have no hesitancy in voting for the Cuban amendment, and willingly would I shoulder my share of the responsibility of its adoption. I believe the welfare of this country demands the annexation of Cuba, sooner or later. It will have to come—by peaceful means, I trust—but if the Cuban spirit of to-day foretells their future attitude toward the United States, annexation will come as a result of conditions not of our making, and will to the Cubans prove their greatest blessing.

Mr. Speaker, the Philippine amendment to this appropriation bill confers upon the President extraordinary powers. It is a question whether the Parliament of England would confer so much power on King Edward. Certainly never was it contemplated by the framers of the Constitution that such sweeping autocratic, absolute, despotic power could or should be in the hands of the Congress to confer upon any one man or body of appointed men under the sanction and authority of that great declaration of principles and Bill of Rights. The Constitution provides that—

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Under this provision the Congress itself should take the initiative and act; it should not shirk its high responsibilities and endeavor to shift them by this attempted delegation of its great prerogatives to the Executive. Legislation such as this I believe beyond our authority and unconstitutional, a menace to our free institutions, an unjustifiable assault upon popular government, a challenge to the people of our country, because repudiating them.

Far be it from me to insinuate even that the Congress or the country has cause to question the ability, integrity, and patriotism of the President. His ambition must have been gratified by his reelection to the Presidency, and I entertain no doubt his aim is now to increase his reputation for statesmanship.

With me the question is, not whether the President is to be trusted, but whether under our form of government it is wise to make so serious a departure from our ancient landmarks and principles. Whether we should vest such power in any President. Once vested, this power will in due course be transmitted to the next President who may be less worthy.

Why does the other side set so much store by this resolution? Why is it necessary to tack it onto this appropriation bill in the shape of an amendment? It will give the President little power that he has not exercised as the Commander in Chief of the military forces of the United States in the Philippines. General MacArthur is responsible to him; the Taft Commission is of his creation and acts under his orders, and Judge Bates, of Vermont, who has just been appointed district judge of the Philippines, must serve under his authority.

Then why, by Congressional enactment, delegate such sweeping authority to the Executive? As an incident of the war he possesses all needed power and authority in the Philippines. This war is not won; it will still be waging when Congress convenes in December; in my belief it will be waging for years to come. If in this I am in error, if the islands shall be pacified before December next, the President, without the authority conveyed by the amendment, would still be able to deal with the Philippine question.

I deem it most unwise to intrust to any President full legisla-

tive, executive, and judicial powers; it is a dangerous precedent; it is contrary to a republican form of government; it is the very essence of imperialism. To authorize a dictatorship abroad is a long step toward its authorization at home. We must remain a government of the people, by the people, for the people—therein lies our national safety.

I do not believe there was ever much doubt in anybody's mind in this country—at least in the minds of any considerable percentage of those who have given the matter careful consideration—that American rule would be better for the Filipinos than any government they have ever had or can ever establish for themselves if permitted to make the experiment. The question has been and now is, whether a colonial system would not be a very bad thing for this country. In my opinion it certainly will be. However, there does not seem to be much to be accomplished by discussing that question now. It is almost a foregone conclusion that the United States will never give up the Philippines. The thing to do, therefore, is to shape our government of them so as to do ourselves the least possible harm and them the greatest possible good.

This Philippine amendment may do us great harm, and as its adoption is unnecessary, it should be stricken from the bill. A question of such great moment to the future of this country should have been thoroughly discussed instead of being disposed of by the Senate in a day or two, and in the House in a couple of hours under a compulsory rule, as if it were a matter of minor importance.

Ours is a government by the people. For the first time in our history it is proposed, by legislative and executive sanction, to make an individual supreme; true, now in the Philippines only. But where next? Who can answer?

Individual absolutism is not for us, nor is it for Congress to authorize as an annex to our governmental system. All force used by a government of the people must be used according to law and not according to personal whim and caprice. If the operation of the law is not just, those who suffer from it suffer from the injustice of the people, not from the tyranny of any person. Whenever it becomes apparent that this is the fact an appeal to the people will secure a change in the law. Under our system there is no ordinance, no statute, no charter, no constitution the people can not change. Under such conditions there is no reason for the use of violence to gain an end for which the law has provided or may be made to provide.

The requirement is that those whom the people intrust with the execution of the law shall perform their duty promptly and effectively. If any public officer fails to so execute the law, the people have power over him, as they have power over the law. Every public officer is responsible under the law to the people for the administration of his office. If he does not perform his duties honestly, intelligently, and economically, the people have the power to remove him or to refuse to reelect him, according to his offense. With supreme power over the law and over the administrators of the law, every person who disregards the law by any act is an enemy of the people, and should be so recognized by every well-wisher for the general welfare. When the people govern, there is no reason for irresponsible or lawless action by persons or mobs. Will the same be true when we shall have vested absolute power of life and death in one man?

This Philippine amendment substitutes in American territory individual irresponsible government for the people's government. The fact that our President is a safe man is an incident for which we have cause to rejoice; it should not, however, be considered a factor in weighing the merits of our proposed departure from ancient principles.

Mr. Speaker, aside from our indisposition, from political and economical reasons, to acquire the Philippine Islands, we of the minority have made our fight not from a desire to force independence on the Filipinos, but from a wish that those people should be given the opportunity to decide for themselves, unhampered by military control, the form of government acceptable to them.

Democrats hold that the acquisition of the Philippines was not an unavoidable result of our war with Spain and that if self-interest demanded it to-day we could withdraw our forces from the islands and leave the people to work out their own salvation. While we repudiate the idea that a consequence of our interference in Cuba must be the assumption by us and the working out of Spain's most difficult problem, it seems to me we can cease, now that the fight has gone against us, our opposition to the plans of the Administration and afford the President every aid in our power in his efforts to tranquilize the Philippines, without abating one jot of our opposition to the acquirement of colonial empires or of our right to question the continuance of the present relation in the future. I cast my vote for the Army reorganization bill for this reason, among others.

If the outcome of the policy now on trial shall be the voluntary acquiescence of the Filipinos in American rule, whatever form that rule may take, we are not bound even then to tie ourselves

to them. Whether we shall do so or not will depend on a favorable answer by the people to the question: Is it our duty and does it pay? Bearing in mind the enormous expenditure necessitated by them at present, and the admitted necessity for a continuance of this expenditure for a number of years, Democrats can afford to give the imperialists all the latitude they require. If the people become satisfied—duty does not enter into the question—and find the experiment does not pay, they will cut it short without any compunctions of conscience as to our manifest destiny in the premises.

Mr. Speaker, in opposition to the principle of the Philippine amendment to this bill, I desire to place myself on record. We are not permitted to vote upon the two amendments separately, but must vote for or against the bill in its entirety; therefore, in solemn protest I shall vote "no" on this measure, though gladly would I have voted "yes" had it not contained this obnoxious and dangerous Philippine rider.

Mr. SULZER. I yield half a minute to the gentleman from North Carolina.

[Mr. BELLAMY addressed the House. See Appendix.]

[Mr. JETT addressed the House. See Appendix.]

Mr. SULZER. I yield to the gentleman from New York [Mr. FITZGERALD].

[Mr. FITZGERALD of New York addressed the House. See Appendix.]

Mr. SULZER. I now yield to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES. The law of the United States as to acquired territory is this: The "existing" or old laws of the acquired territory remain unchanged, except those "found to be in conflict with the Constitution and laws of the United States."

This is clearly decided by our Supreme Court in two cases I have in mind: *Leitendorfer vs. Webb*, 1857 (20 How., p. 177), from which I have just quoted; and in a later case: *Chicago and Pacific Railroad vs. McGlinn* (114 U. S., 546).

That is the law, Mr. Speaker, and it is what the Republican party is now running away from, saying here to-day this is not the law. Thirsting for imperial power, they are studiously avoiding this law by assuming powers unheard of, contending that the Constitution is not in the Philippines and that the President can have—and this bill so provides—the power to legislate in these islands, when the power to legislate by the Constitution is lodged in Congress.

The Constitution ordains:

1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

This power can not be delegated (143 U. S., *Field vs. Clark*), but this amendment known as the Spooner provision undertakes to do so. It is unheard of as law. The Louisiana act of 1803 continued "existing" laws, and only "until the expiration of the present session of Congress," or before. It said it was temporary, and to be had under "existing" laws. This bill does not continue "existing" laws, but gives the President power to enact new ones and repeal old ones.

Now, then, the people—natives, aliens, and Americans—in the Philippine Islands, with this amendment as law, are to be protected, if at all, not by "existing" laws there, for this act does not "continue" them; not by the Constitution, for the President says it is not the law of the Philippine Islands, but by any and every law, so called, the President may enact, all of which are and must be valid at the will of the President, because the Constitution is not in the Philippine Islands to test, validate, or invalidate them. My God, have we come to this after a century of exclamations that ours is the home of the free and the asylum for the oppressed from all lands? [Applause.]

Mr. SULZER. I now yield to the gentleman from Illinois [Mr. CROWLEY].

Mr. CROWLEY. Mr. Speaker, my only purpose in rising here to-day is to register my protest against the passage of this bill, or, rather, not so much against the bill as against the passage of the amendment attached. Many members on this side would like to have discussed this bill, not from a partisan but from an unbiased patriotic standpoint, had they been given time under the stringent rules of this House. I regard this amendment, delegating despotic power to the President of the United States, as the gravest question yet presented before this Congress. I protest against its being put to a vote until every member shall have placed himself upon record, should he care to do so, extra session or no extra session. Congress has the power to legislate for these Territories, and we, today, by allowing this amendment to become a law delegate away our own authority.

It seems to me that we have been doing little else since I became a member of this body but delegate the President authority. It is a matter that seems to be creeping in upon us or creeping up

upon us. It is a very easy matter to shift responsibility, but when the time arrives, as it most certainly will, that we desire the return of what we have so lightly given up, it will have to be bought at a steep price. The minority can only protest against such outrages, and during this short session has been given but little time in which to even do that.

"The Congress shall have the power to dispose of and to make all needful rules and regulations respecting the territory or other property belonging to the United States." It is a question of power involved in this amendment. It is a question each member of this House should consider well before he votes to delegate it to any one man or any body of men. You are not performing the duty devolving upon you, under the oath you took, when you delegate your power to the President of the United States or his appointees. I can conceive no conditions under which I would vote for this bill as amended.

I do not for a moment weigh the institutions of this free Government against dollars. Listen while I read an editorial from the Washington Post of last year, the leading Republican paper of this Administration. It does not deign to shelter itself behind pretended patriotism and providential responsibility, but ruthlessly lifts the veil. It is headed:

LET US BE HONEST.

Why can not we be honest in our utterances touching the territories we have recently acquired? Really, it would save time and trouble, to say nothing of life and treasure, to come out frankly with the announcement that we have annexed these possessions in cold blood and that we intend to utilize them to our profit and advantage.

All this talk about benevolent assimilation, all this hypocritical pretense of anxiety for the moral, social, and intellectual exaltation of the natives; all this transparent parade of responsibility and deep-seated purpose; all this deceives nobody, avails nothing, helps us not an inch in the direction of profit, dignity, and honor. We all know down in our hearts that these island groups, etc., are important to us only in the ratio of their practical possibilities. We value them by the standard of their commercial usefulness and by no other. All this gabble about civilizing and uplifting the benighted barbarians of Cuba and Luzon is mere sound and fury, signifying nothing. Foolishly or wisely, we want these newly acquired Territories, not for any missionary or altruistic purpose, but for the trade, the commerce, the power, and the money there are in them. Why beat about the bush and promise and protest all sorts of things? Why not be honest? It will pay.

As a matter of fact, we are not concerned in the ethical or religious uplifting of the Filipinos. After all, the difference between a breechcloth and a starched shirt front is a mere matter of climate and personal opinion. Dishonesty, untruth, crime, and general wickedness are here in our midst—present with us as a part of our daily life and growing with our growth. We need not go to the West Indies or the Philippines in search of material for moral rescue. Our own slums abound with opportunities for missionary zeal. Why not tell the truth and say what is the fact—that we want Cuba, Porto Rico, Hawaii, and Luzon, together with any other islands in either ocean that may hereafter commend themselves to our appetite, because we believe they will add to our national strength, and because we hope they will some day become purchasers at our bargain counters? We might as well throw off the pious mask and indulge ourselves in a little candor. It will cost us nothing, and it may profit much. At any rate, we shall have the comfort and satisfaction of being honest with ourselves and the privilege of looking into the mirror without blushing.

Many members who otherwise would not consider for a moment the proposition of delegating their authority as members of this body away have lain down on this amendment because the prospect of trade to be opened up with these countries has dazzled their eyes. Suppose for a moment we put our position upon the trade basis. It has been well said that trade can not be permanently profitable unless it is voluntary. We do not have to own a country in order to trade with it. The trade opened up with these people would never reach nor profit the agriculturists of this country. Already the binding-twine trust, the tobacco and sugar trusts, have a death grip on these interests in these countries.

The lives of our young soldiers are being wantonly sacrificed in establishing a condition that will tickle the pockets of a few already millionaires and endanger the interests of our own laboring class.

We took up the cause of Cuba as philanthropists. You know we went down there in the guise of missionaries intending to help the Cubans perpetuate freedom and independence in their own institutions. We made the Cubans a pledge in our declaration of war with Spain—

"That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof," and asserts its determination, when that is accomplished, to leave the government and control of the island to its people. Does anyone now believe that if the President is given unlimited authority by Congress that he will redeem this pledge? I hope I live in a country whose pledge is yet as sacred as its arm is strong.

We all remember how we qualified and softened our declaration of war with "unctuous piety," and we now all begin to feel that our professions are being put to shame; that there is a force at work unwilling to cut the slender thread that releases little freedom-loving Cuba. If we crush the hope of ultimate freedom in that little Republic, it will be a story of shame and dishonor to this nation. What right have we to force our ultimatum upon them?

The passage of this amendment not only affects Cuba, but it also affects 12,000,000 souls situated thousands of miles from us who

are clamoring for freedom and independence, and to whom I sincerely believe our sacred promise was given by our officers and representatives. The Filipinos had fought Spain off and on for 200 years, trying to secure their independence. Do you think they forfeited the opportunity of their independence by the circumstance of our war over Cuba? We asked them to co-operate with us. We were told by them time and again that they were fighting for independence. Their purpose was well known by our generals and at the War Department, and by the President. The President repeatedly declared that we had no title and claimed no right to anything beyond the town of Manila. The American people are bound in honor to see that Cuba and the Philippines secure their independence. But when you talk to the gentlemen on the other side of this House trying to appeal to their lofty patriotism, they talk of the wealth to be acquired, of the commercial possibilities, of the extension of trade. Their very sentences teem with greed—greed for gold.

The amendment which it is proposed to put on the Army appropriation bill is the Spooner bill with two variations. It means, if passed, that the 12,000,000 of people shall be turned over to the unlimited power of one man, and that man the President of the United States, the man who sits at the head of the freest republican form of government ever yet established. They are subject to his will under this amendment. They will be subjects and not citizens of the government he establishes over them under this amendment. It has been practically admitted that this bill is unconstitutional by the other side of the House, but still they intend to pass it. They know that the imposition of our form of government upon a people against their wish is a foul wrong, but still they intend to perpetrate it. Why was it not passed as a bill within itself? Why should it be a rider, excepting that it was the intention to force its passage through with as little outcry as possible? We have heard very little in its defense from the other side. No one man seems willing to defend it. They seem to be relying solely upon the strength of numbers. They intend to pass it. Why? Is it because of the urgent need of our fellow-citizens, the Filipinos? No, it is the urgent need of our financial exploiters, who are anxiously waiting, as Commissioner Taft discloses in his communication to the Secretary of War. The land over there is exceedingly fertile, millions of acres of public land, rich mining prospects, fortunes in the fine timber. Pass it, pass it, so we may slake our thirst.

Mr. SULZER. I yield to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Speaker, the gentleman from Illinois and the gentleman from Iowa cite as a precedent for this action the statute which was passed under Mr. Jefferson's Administration. The fact of the business is that the treaty which was ratified between the United States and France guaranteed to the people who lived in the Territory of Louisiana at that time citizenship, and not only that, but liberty and the rights of property, and the right to be taken into this Union. [Applause on the Democratic side.] And then by the act of Congress it was provided that the nine members of the council who were to be selected should be citizens of the Territory. They were all recognized as citizens. Now, what is the provision of the recent treaty between Spain and the United States? The people of the Spanish possessions which we have acquired are simply recognized as inhabitants, and the status of those inhabitants as citizens is to be fixed by the Congress of the United States.

Now, compare the two treaties—the treaty concluded during Jefferson's Administration and the recent treaty between the United States and Spain. Such a comparison will readily show that the precedent which you claim to follow finds no status in the facts of history.

Mr. SULZER. I yield to the gentleman from Kansas [Mr. RIDGELY].

[Mr. RIDGELY addressed the House. See Appendix.]

Mr. SULZER. Mr. Speaker, the adoption of the rule just offered by the gentleman from Pennsylvania [Mr. DALZELL] by the vote of the Republicans in this House is, in my judgment, the greatest outrage on the rights of the Democratic minority ever perpetrated in the history of this legislative body. It seems the minority have no rights here that the ruthless Republican majority are bound to respect. The Democrats are to be gagged, legitimate debate shut off, our protests frustrated, our appeals for justice denied, the rights of humanity trampled on; while the Republicans, intoxicated with power, ride roughshod over our rules, the Constitution, and the sacred guaranties of the Republic. The House of Representatives has ceased to be a deliberative body. It is the mere creature of one man. Let me read the rule prepared and just adopted by the Republicans to force through this House the pernicious and iniquitous legislation against Cuba and the Philippines:

Resolved, That immediately upon the adoption of this resolution it shall be in order to take from the Speaker's table the bill (H. R. 14017) making ap-

propriations for the Army and without intervening motion to move to concur in the Senate amendments thereto in gross; after two hours' debate (one hour on each side) the previous question shall be considered as ordered on said motion, and a vote then be had thereon without delay or intervening motion.

The adoption of that unjust rule is in violation of the letter and the spirit of the rules of this House. As a member of the minority of this House, I enter my most emphatic protest against it and the outrage its adoption will speedily consummate. We should have at least a week to debate this matter.

What is the purpose of this arbitrary action? What dark deed is to be enacted by virtue of its adoption? Several weeks ago this House passed the Army appropriation bill and sent it to the Senate. By some inscrutable legislative legerdemain the Republicans in the Senate placed on this Army appropriation bill two amendments or riders—one affecting Cuba and the other in regard to the Philippines. Let us see what these two amendments are. Let us examine these two un-American and outrageous riders. The first amendment or rider relates to Cuba, and reads as follows, viz:

That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled, "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

II.

That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V.

That the government of Cuba will execute, and as far as necessary extend, the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

The second amendment, or rider, relates to the Philippines and reads as follows, viz:

All military, civil, and judicial powers necessary to govern the Philippine Islands, acquired from Spain by the treaties concluded at Paris on the 10th day of December, 1898, and at Washington on the 7th day of November, 1900, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion: *Provided*, That all franchises granted under the authority hereof shall contain a reservation of the right to alter, amend, or repeal the same.

Until a permanent government shall have been established in said archipelago full reports shall be made to Congress on or before the first day of each regular session of all legislative acts and proceedings of the temporary government instituted under the provisions hereof; and full reports of the acts and doings of said government, and as to the condition of the archipelago and of its people, shall be made to the President, including all information which may be useful to the Congress in providing for a more permanent government: *Provided*, That no sale or lease or other disposition of the public lands or the timber thereon or the mining rights therein shall be made: *And provided further*, That no franchise shall be granted which is not approved by the President of the United States, and is not in his judgment clearly necessary for the immediate government of the islands and indispensable for the interest of the people thereof, and which can not, without great public mischief, be postponed until the establishment of permanent civil government; and all such franchises shall terminate one year after the establishment of such permanent civil government.

Mr. Speaker, the far-reaching importance of these two riders, hastily put on an appropriation bill in the Senate, in violation of all precedent, is beyond calculation. They go to the very foundation of our Government. They place in the hands of the President unlimited, despotic, and autocratic power. They define and fix an arbitrary procedure and policy that may, and, in my opinion, will, cause endless trouble, enormous expense, and innumerable lives. They hazard interminable war. They present the most important question for wise, just, and deliberate solution and determination that has confronted the American Congress since the civil strife, and we are compelled to vote on them by the adoption of a partisan rule for political purposes, after a meager debate of only two hours—one hour on each side.

If the matter under consideration were not so serious, affecting as it does the lives, the liberties, the property, and the happiness of millions and millions of people under tropic suns, in the Occident and in the Orient—the attitude, the programme, and the procedure of the Republicans would be as absurd as it is Quixotic. This is a most momentous question, and we should have time to deliberate and the right to propose amendments. Under the rule we have neither. The Democratic members are cut off from their rights. They have no choice; no opportunity to give expression to their views. Perhaps we should be thankful that we can yet vote, and let the people of the country know that the Democratic representatives in Congress are to a man opposed to this infamy.

These two vicious riders, that will destroy every vestige of freedom in Cuba and every hope of liberty in the Philippines, were put on the Army bill in the Senate. They were put on in violation of all parliamentary procedure. They could not have been adopted in the first instance in this House. It has been said they were put on in the Senate by some understanding, some trade, some unholy bargain, between the alleged friends of liberty and the imperialistic opponents of freedom, in order to pass other bills and avoid an extra session of Congress. Be this as it may, I know not, although appearances are sometimes quite convincing; but we all know these riders, to trample in the dust in Cuba and the Philippines justice, liberty, and humanity, would never be here if the Democratic Senators had wanted to defeat them. They never could have been adopted in the Senate without the acquiescence of the Democrats there. They are responsible for this situation.

These riders are most despotic, most iniquitous, most unjust, and most inhuman. They portray in burning letters the sordid, greedy, and corrupt spirit of commercialism, which destroys our highest ideals, makes us ashamed of our past, and compels us to bow our heads in humiliation as we witness the present and contemplate the future of our country. They make our great Republic despicable and a byword of reproach. They reveal and unmask the cruel, sordid, treacherous policy of the Administration, and expose to full view the hypocrisy, the perfidy, and the infamy of the Republican party. I am opposed to these riders. They will never pass with my consent or my vote. If Congress enacts them into law, the President will be the most powerful, the most despotic, and the most autocratic potentate on earth. I am opposed to delegating the powers of Congress to the President. If these gradual surrenders of vested constitutional rights and transfers of legislative powers to the Executive continue, the day, in my judgment, is not far distant when we shall cease to be a representative government responsible to the people.

The gentleman from Ohio [Mr. GROSVENOR] has said that the provision regarding the Philippines is similar to the resolution enacted by Congress in regard to the temporary government of the Louisiana purchase. I beg to differ with the gentleman. He is sadly in error. To conclusively show the wide and startling difference let me read the act of 1803 regarding the temporary government of Jefferson's Louisiana purchase:

Until the expiration of the present session of Congress, or unless provision be sooner made for the temporary government of the said territories, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct, for maintaining and protecting the inhabitants of Louisiana in the full enjoyment of their liberty, property, and religion.

Compare the two. There is no analogy between them. A casual reading of the two acts is sufficient. One is "until the expiration of the present session of Congress." The other is indefinite, and for all desired and practical purposes surrenders absolute and complete power to the President. The Philippine provision in this bill and the act of 1803, relating to the temporary government of Louisiana, are as far apart as the poles. And I say now that if the Republicans are sincere in their present contention they will permit the Democrats to offer as an amendment for the provision under discussion affecting the Philippines a substitute similar to the enactment of 1803 relating to Louisiana. If the other side will permit us to do that, I know and I declare that every Democrat on this side of the House will cheerfully vote for it. I challenge the majority to allow us to do it. Your refusal is an evidence of the insincerity and hypocrisy of your pretensions,

and another demonstration of the imperialistic policy of force of the Republican party.

Let me, sir, say again what I have frequently said before on the floor of this House, that I am now, always have been, and always will be, opposed to the cruel, the inhuman, the ruthless, the un-American, and the unchristian conduct of this Administration to the struggling Filipinos, whose only crime is the love of liberty, their hope for freedom, and their aspiration for independence. If we had been true to ourselves, and to the great ideals of American manhood, patriotism, and statesmanship, not a drop of American blood would have been shed in the Philippine Archipelago. Sordid greed has cost us hundreds and hundreds of millions of dollars, and cruel lust for power thousands and thousands of precious lives. And the end is not yet.

How long will this costly war of extermination and subjugation last? Can anyone tell? Will it be the black page of Spain's history over again? I pray not. Sooner than see the Republic destroyed, and the Philippine Islands the tomb of the flower and the youth of America, I would do what I believe Abraham Lincoln would do if he were at the head of the Government to-day—help the Filipinos establish a stable government of their own, a republic fashioned after this Republic, and then say to all the world, "Hands off; any interference with the Filipino republic will be an act unfriendly to the United States."

So much, sir, in regard to the adoption of this partisan, unjust, and arbitrary rule in order to choke off debate, and to my position on the amendment surrendering all legislative power to the President, to perform whatever his autocratic will and despotic purpose may suggest regarding the Philippine Islands.

Now, Mr. Speaker, I want to say something in regard to the other amendment, or rider—the one relating to Cuba. I have been a friend of the Cuban patriots for years. When I first came to Congress, six years ago, I championed their cause in Congress and out of Congress, in season and out of season. I did all I could to help them throw off the tyrannous yoke of cruel and oppressive Spain. They were then waging a just war to secure their freedom and their independence. My sympathy was all with the Cuban patriots. I knew their oppression; I was familiar with all their suffering, with their long and heroic struggle for liberty and the right to govern themselves.

I introduced in this House the first resolution of sympathy for them, indulging the hope that they would succeed because their cause was just. I introduced in this House the first resolution granting them belligerent rights; the first resolution recognizing their independence, and the first resolution declaring war against Spain. When war was finally declared, I organized in the city of New York a regiment of soldiers and begged the Republican governor of New York, and also the President, to accept it and muster it into the service. They refused—presumably for political reasons. I was willing and anxious to resign my seat in this House to go to the front with my regiment and fight for Cuban independence, but could not get a chance, ostensibly because I was a Democrat. A perusal of the proceedings of this House before, during, and after the Spanish-American war will leave no one in doubt regarding my position on the Cuban question. I wanted to see Cuba free. In the second session of the Fifty-fifth Congress I said:

My position is well known and unchangeable. Long, long ago I made up my mind. I have never deviated from the first stand I took. I want to see Cuba free. She must be free and independent. The Spaniard and his yellow flag—the emblem of atrocity—must go.

You know that in all the history of the world no people ever deserved the right of self-government more than the heroic, struggling Cuban patriots. For centuries they have been oppressed, robbed, starved, and murdered by a cruel foreign power. The tyranny of Spain, her refined butcheries, her fiendish brutalities, are the blackest pages in the annals of the world. * * *

What a sad story the history of poor Cuba tells! For more than three centuries Spain has ruled her with a blood-stained and an iron hand. It has been a thousand times worse than the rule of the Turk. It has been a thousand times worse than the rule of a barbaric military despotism over a conquered and subjected province.

The history of poor Cuba's trials, her woes, her troubles, and her tribulations never has been written and never will be written. Not half the truth will ever be known. And more the shame!

Spanish rule in Cuba has been one long, unending, hideous carnival of crime, of public plunder, of rapine, of official robbery, of murder, of starvation, of destitution, of assassination, and of cruel, torturing death—a frightful, big black blot on the pages of civilization; a lasting, burning disgrace to all Christendom; an impudent, imperial challenge, backed by the bayonet, to the sober sense of humanity and the Christian civilization of the world.

And subsequently I said in the same Congress:

I stand now where I have always stood, where I will stand until the last—for the liberty-loving people of Cuba, who are making and have made as heroic and as gallant a battle for freedom and independence as any people ever made in the history of the world. I want to see them win, and I know they will win if this great Republic, which should stand as a shining light, as a beacon, and as an example for all the other republics of the world and for every people struggling for liberty and independence, will simply do its duty.

That, sir, in substance, was my position then in regard to Cuba. I was for Cuban independence then, and I am for Cuban independence now. I have not changed my views. Nothing has occurred since the signing of the treaty of peace in Paris to make

me alter in any way my original opinions. On the contrary, much has happened to confirm and strengthen them. The record is made up. It speaks for itself. We should keep faith. We went to war with Spain to free Cuba, not to annex Cuba; not to free the Cubans from Spanish slavery in order to enforce American despotism. We declared our high moral purpose of intervention to be in the interest of civilization.

We patriotically proclaimed that the war was to be waged for liberty, for freedom, and for humanity, and called all the world to witness our noble intentions and our undying devotion to the fundamental tenets of the fathers as embodied in the immortal Declaration of Independence. As proof of this let me read and again put in the RECORD the resolution of Congress declaring war against Spain, approved by the President on the 20th day of April, 1898:

Joint resolution for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Whereas the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship with 206 of its officers and crew, while on a friendly visit in the harbor of Habana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited; Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

THOMAS B. REED.

Speaker of the House of Representatives.

GARRET A. HOBART.

Vice-President of the United States and President of the Senate.

Approved April 20, 1898.

WILLIAM MCKINLEY.

There is nothing doubtful, nothing ambiguous, about that resolution. It pledged the sacred honor of the Government and the solemn word of our people to drive Spain from Cuba; declared that the Cubans are, and of right ought to be, free and independent; and disclaimed any disposition or intention to exercise sovereignty, jurisdiction, or control over said island. The question now is, it seems to me, Shall we keep our word or break it? Shall we live up to our sacred promise or abjectly stultify ourselves in order that personal pelf may follow political perfidy?

Let us be honest. We must not forget. We should keep our word. We should fulfill the letter and the spirit of the promise. We should do our duty and give the Cubans absolute freedom and independence. There should be no conditions. Any different policy now, any deviation from our promise of three years ago, will be national dishonor and a stultification that must bring to the cheek of every honest American the blush of shame. Shall the plighted faith of the nation be kept? Americans, read that sinister Republican rider regarding Cuba, attached to this appropriation bill by the servile servants of commercialism in the Senate, in the light of our patriotic declaration of war, and answer! Its adoption here to-day means national dishonor, national repudiation, national shame, and national perfidy.

The vote here to-day, sir, will show that the Republican party has chosen to stand for disgrace and dishonor—for pelf and power; that the representatives of the Democratic party stand for liberty, for loyalty to the principles of the fathers, for freedom, for the fulfillment of the national promise, for the sacred rights of man, for peace and prosperity, for the Constitution, and, above and beyond all, for the traditions and the true glory and destiny of the Republic.

For mankind are one in spirit, and an instinct bears along,
Round the earth's electric circle, the swift flash of right or wrong.
Whether conscious or unconscious, yet Humanity's vast frame
Through its ocean-sundered fibers feels the gush of joy or shame;
In the gain or loss of one race all the rest have equal claim.

Once to every man and nation comes the moment to decide,
In the strife of Truth with Falsehood, for the good or evil side;
Some great cause, God's new Messiah, offering each the bloomer blight,
Parts the goats upon the left hand and the sheep upon the right,
And the choice goes by forever 'twixt that darkness and that light.

Mr. HULL. I yield to the gentleman from Tennessee [Mr. GIBSON].

Mr. GIBSON. Mr. Speaker, the provisions of this bill in reference to Cuba and the Philippines are wise and salutary both for the people of the United States and for the people of those islands.

First, as to Cuba, the Senate amendment is timely and prudent. While we stand pledged to recognize the independence of Cuba, we do not stand pledged to allow it to become again the seat of disorder, the propagator of the plague, the prey of foreign powers, and the base of attack upon our own country; and in giving Cuba her independence we must couple with the gift such conditions that, while not harming her, will make us safe. We propose that Cuba's independence shall be a shield to protect her and not a sword to hurt us.

Speaking for myself, I feel free to say that when I voted three years ago that the people of Cuba were "free and independent" I did not so vote because I believed it, but because it was embedded in a resolution requiring Spain to leave the island and directing the President of the United States to drive her out if she refused to go; and I, along with many other members of this House, swallowed the bitter with the sweet, voting for what we did not believe, to get what we wanted—that is, to force Spain to leave Cuba.

CUBA MUST BE OUR WARD.

Mr. Speaker, I do not believe the Cubans are fit for self-government, and so I do not want us to turn the island completely over to them until they demonstrate their capacity to rule their island wisely and well, so that life, liberty, property, and the pursuit of happiness shall be secured to all under good laws properly administered.

Indeed, Mr. Speaker, if the people of Cuba are wise and prudent, they would be glad to have our Government exercise a sort of mild guardianship for a short time; and the fact that so many of their leaders seem devoid of all gratitude to the United States for the many millions of dollars we have spent in their behalf makes me suspicious of what Cuba's fate may be when wholly committed to their hands.

I want Cuba fairly treated; but I want my own country fairly treated also. What have we done for Cuba? We found her people dying of starvation in prison pens, or slaughtered by a merciless foreign soldiery; and we have driven out these soldiers, opened the prison doors and made every Cuban free, and fed them generously from our own table. We found the Cubans deprived of all voice in their own government, and we have turned their oppressors out of power and given all of the municipal offices to the Cubans themselves.

We found Cuba desolated by fire and sword from one end of the island to the other, and we have brought peace and law and order, and opened to every man full opportunity to honorably and easily earn his own living. In a word, Mr. Speaker, we found Cuba a hell, and we are fast converting it into a paradise.

And shall we have no right to guard this island and see to it that disorder shall not take the place of order, and see to it that the island, by unwise treaties, be not given over to our enemies, and to see to it that the yellow fever does not use its shores as a base from which to invade our country and destroy our people?

This is all that the Senate amendment proposes to do, and if we should let Cuba go out of our hands without guaranties for our own protection, we should be derelict in duty, false to our own people, and deficient in that foresight which belongs to prudent statesmanship.

OUR TREATMENT OF THE PHILIPPINES.

Next, as to the Philippines. The Senate amendment proposes to give the President general authority to govern the Philippine Islands. I do not propose to discuss this amendment in detail. It is sufficient for me to call attention to the fact that it is, in substance, the same as the authority given by Congress to President Jefferson to govern Louisiana, and to President Monroe to govern Florida; and if it was no crime in those Congresses to grant such power, surely it can be no crime in this Congress. Jefferson was the founder of the Democratic party, and James Monroe was one of its great apostles, and yet it was deemed all right in their day to grant them full power to govern Louisiana and Florida, then newly acquired foreign territory.

In order that the Senate amendment may be compared to the law under which Jefferson ruled Louisiana and Monroe ruled Florida, I give all three. The pith of the Senate amendment is as follows:

All military, civil, and judicial powers necessary to govern the Philippine Islands, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion: *Provided*, That all franchises granted under the authority hereof shall contain a reservation of the right to alter, amend, or repeal the same.

The Jefferson law, passed in 1803, is as follows:

That until the expiration of the present session of Congress, unless provision for temporary government of the said territories be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing (French) government of the same shall be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property, and religion.

The law under which Monroe ruled Florida, passed in 1821, reads as follows:

All military, civil, and judicial powers exercised by officers of the existing (Spanish) government of the same territories (East and West Florida) shall be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct.

Now, Mr. Speaker, any impartial man will quickly decide that the Senate amendment is the most liberal of the three; besides the Senate amendment, in addition to the restriction as to franchises which I have quoted, contains a prohibition against the sale or lease of public lands, timber, or mines, none of which were in the Jefferson or Madison laws.

THE PRESIDENT UNJUSTLY CRITICISED.

For the last two years we have heard a great deal of complaint from certain "good people" that the President had no right to govern the Philippines without the authority of Congress. The abuse by these "good people" was not against Congress for not legislating about the Philippines, but against the President for presuming to govern the Philippines without the authority of Congress, as though the inaction of Congress was not equivalent to its consent to the President's course.

It has always seemed to me that these "good people" should have launched their fulminations against Congress for not legislating; but it was the programme of these "good people" to do all they could to break down the President; and so they had sworn in their hearts to abuse McKinley not only for what he had done and had not done, but also to abuse him for all that Congress has done or has not done.

And what is the secret of all this vituperation? McKinley stands as the great champion of American protection, as the chief defender of the gold standard, and as the chief promoter of American prosperity; and the defeated Free Silverites, the baffled free traders, and the disgraced false prophets of calamity and hard times have determined that they will do all they can to destroy our President, and if they can not wholly destroy him, at least mortify and humiliate him—

Which, if not victory, is yet revenge.

Scratch any of these abusers of McKinley, and you will find him either a Free Silverite or a free trader, or a natural-born calamity howler.

Oh, Mr. Speaker, I get tired of listening on the floor of this House and reading in the newspapers this everlasting twaddle about McKinley's "imperialism," coming, as it does, from the lips of the very men who worship Jefferson as a god and Monroe as a saint. Oh, it was all right for Jefferson and Monroe to do what McKinley is now doing, but it is all wrong in McKinley.

Mr. Speaker, I have heretofore said, and now say, that if Bryan had been elected four years ago the Spanish war would have come on all the same, Dewey would have sunk the Spanish fleet in Manila Bay all the same, our Army would now be in the Philippine Islands as it is to-day, and Bryan would be doing there just what McKinley is now doing, and all of these men now abusing McKinley would be praising and glorifying Bryan, and calling him a second Jefferson and a new Monroe; and if any man dared to call Bryan an imperialist he would be in danger of being hung by a mob or burned at the stake.

These fellows who are abusing McKinley are like the fellows who abused Jesus; and when they had the right to choose between Jesus and Barabbas, they all chose Barabbas the robber, and cried out, "Away with Jesus! Crucify him!" And so these Free Silverites, free traders, and calamity howlers cry out, "Away with McKinley! Crucify him! Give us Bryan!"

There is one strange thing about these Democratic politicians—whatever their leaders do is all right, but whatever the Republicans do is all wrong, even when they do the very same thing the Democrats have done. Now, here we are doing our very best to follow in the footsteps of Jefferson and Monroe, those mighty Democrats, as marked out by Democratic Congresses, and yet these latter-day saints of Democracy come along and declare that we are traveling the wrong road.

FORMER PRESIDENTS ABUSED.

In these days of telegraphs, railroads, steamships, and daily newspapers time rapidly becomes ancient, and what took place one hundred years ago is almost as unknown as what took place in Rome two thousand years ago or what took place in Jerusalem three thousand years ago.

How many of the people of my own State recall the fact that when North Carolina ceded the territory now Tennessee to the General Government, George Washington, then President of the United States, appointed William Blount governor, and gave him and two Federal judges legislative, judicial, and executive powers over the new Territory? Indeed, Governor Blount did not always wait for his colleagues, but often, and indeed generally, acted alone. The very first legislative act of the new governor of the new Territory was to create the counties of Knox and Jefferson, now in my district. The act begins thus:

By William Blount, governor in and over the territory of the United States of America south of the River Ohio:

*Be it ordained, That two new counties be laid out and established, * * * from and after the 15th of June instant [1792], by the name of Jefferson County and Knox County.*

This ordinance fixes the boundaries of these two new counties, establishes local courts, and fixes the times and places for their meeting, and concludes thus:

Done at Knoxville the 11th day of June, in the year of our Lord 1792.

WILLIAM BLOUNT.

By the governor:
DANIEL SMITH, Secretary.

That is the way, Mr. Speaker, that President George Washington and his governor, William Blount, did things one hundred and eight years ago, and yet we find that our liberties survived the awful strain. Mr. Speaker, there were "good men" in that day who called Washington a "king," and charged that he aimed to "usurp the constitutional powers of government," and there were cartoons printed and scattered abroad picturing Washington dressed in kingly robes, with a crown on his head and a scepter in his hand.

Yes, awful things were predicted then of Washington; but the country survived, our liberties remain unimpaired, the Constitution continues in full force, and the blessed liberty of free speech, to abuse and vilify our Presidents and all others in authority, still exists undiminished.

Yes, Mr. Speaker, all of our great Presidents have been charged with violating the Constitution and acting the tyrant. The charge was even made against Jefferson, the author of the Declaration of Independence, the discoverer of the rights of the governed and the inventor of the Democratic party.

And similar charges were made against Jackson, Polk, Lincoln, and Grant—all made by "good people"—and yet our country lives, Washington is honored, Jefferson is honored, Jackson, Polk, Lincoln, and Grant are all honored, the names of these "good people" who made the charges are all forgotten, our liberties remain, our country has grown and prospered, our people are happy and contented, and the God of high heaven seems still to smile upon us and bless us.

And so will it be, Mr. Speaker, in the case of President McKinley. These "good people" who charge him with "imperialism," who declare that he has "violated the Constitution," and who denounce him as a "tyrant" and a "usurper," will all die and be forgotten, as have those who vilified Washington and Jefferson and Jackson and Polk and Lincoln and Grant. Our liberties will continue; our rights will be preserved; our Constitution will be maintained; our country will remain the "land of the free and the home of the brave;" the people of Cuba, Porto Rico, and the Philippines will have been transfigured by the spirit of American liberty and the genius of American civilization; and the baby is now born that will live to see the day when the name of William McKinley will be linked with those of Washington and Lincoln as the three greatest Presidents produced by the great American Republic from its foundation to the close of the nineteenth century, Washington being the great founder of the Republic, Lincoln its great preserver, and McKinley its great expander.

OUR POLICY IN PORTO RICO PROVED WISE.

You remember, Mr. Speaker, the awful hullabaloo raised a year ago against the law we passed imposing a tariff tax on certain goods imported to and exported from Porto Rico, the taxes thus raised to be spent there in lieu of all other taxes. We were charged with having violated the Constitution, with having robbed the Porto Ricans of their lawful right of self-taxation, and with having actually turned down the President himself. These Democrats are a queer set of fellows. They do not want the President turned down unless they do it themselves! McKinley was all wrong in reference to Porto Rican taxation until the Republicans in Congress differed with him on this question, and then, presto, change! McKinley all at once became just exactly right. But McKinley despised their approbation as he despised their opposition. McKinley had the good sense to see that the plan of Congress was better just then than his own, and he magnanimously and patriotically approved our plan.

And what has happened, Mr. Speaker? Our law was found to be a great blessing, the people of Porto Rico approved of it and have prospered under it and want it continued. But the legislature of Porto Rico, elected by the people of the island, have passed a tax law to take the place of our tariff tax law, and now we hear a howl from the people of Porto Rico against any change in the law we passed.

And what are the Democrats now saying? What are these howlers now saying, who had so much to say a year ago about Porto Rico being oppressed? Not a word! They are as silent as dumb men. Their voices have left them. They howl no more. They have been confounded by the great fact now overwhelmingly demonstrated that the law we Republicans passed for the taxation of Porto Rican exports and imports was a most wise and salutary law and has been a great blessing to that beautiful island.

The Porto Rican legislature has passed a law to supersede the law we passed, for our law was only temporary and was to continue only until the Porto Ricans could pass a tax law of their

own. This Porto Rican tax law is called the "Hollander bill," and a few days ago a committee of Porto Ricans came to Washington to beg that our law should continue.

PORTO RICANS PREFER CONGRESSIONAL LAW TO THEIR OWN.

I read this account of their mission from the Washington Post of February 25, and call attention to the fact that the Post was hostile to the law we passed. I read:

Messrs. W. Borda and Vicente Balbas, of Porto Rico, members of the commission appointed to protest to President McKinley and Congress against the Hollander revenue bill, and Mr. Freeman Halstead, secretary of the commission, arrived in Washington last night, and are guests at the Arlington. The commission was appointed at a mass meeting held in San Juan February 2 and attended by more than 3,000 Porto Ricans, representing the varied business interests of the island. The commissioners expect to call upon the President to-day or to-morrow, and within a few days will present to the Government a formal protest against the operations of the Hollander bill.

The members of the commission are among the wealthiest and most prominent of Porto Ricans. Mr. Borda is an American citizen, with a legal residence in New York, but has large property interests in the island. Mr. Balbas is also a large property owner, and is editor and proprietor of the *Heraldo*, the leading paper of the island. Mr. Halstead is an American newspaper man who is at present managing editor of the *San Juan News*.

"There is no longer any opposition on the island," said Mr. Halstead last night, "to the 15 per cent tariff imposed by Congress upon Porto Rican imports and exports to the United States. The revolution of sentiment with reference to the tariff has been gradual, but it has been complete, and complaints against it are no longer heard. The object of the commission's coming to Washington is to induce the Government to allow the present tariff to remain, instead of having it supplanted by the objectionable Hollander bill. Already, as a result of the operations of the Hollander bill, a large number of tobacco manufactories and distilleries have shut down, throwing more than a thousand men out of employment."

And in like manner, Mr. Speaker, will all of our other laws be found just, wise, and salutary; and before McKinley's next term is out many of the men now howling against him will have another spell of the lockjaw, for they will see, as the world will see, that all of our laws relating to Cuba, Porto Rico, and the Philippine Islands are wise, just, and salutary, promotive of the welfare of those islands, and grand exhibitions of the wisdom, generosity, and magnanimous purposes of the Government of the United States in dealing with them.

EXPANSION OF NATIONS.

It is no uncommon thing to hear a certain class of orators say: "Rome acquired foreign territory and Rome fell." Hence they argue if the United States acquires foreign territory it will fall also. In the first place, Mr. Speaker, if Rome had never acquired foreign territory she never would have been Rome. She would have been nothing but a contemptible conglomeration of insignificant huts on the banks of the Tiber, the prey of the first petty conqueror who had an appetite for such worthless spoil.

It was by the "acquisition of foreign territory" that Rome spread her civilization over the world, and thereby did more for mankind than any other nation of antiquity. It was through imperial Rome that the civil law was impressed on every nation of continental Europe, and through these nations on the whole world. It was through imperial Rome that the Christian religion was enabled to triumph over paganism and become the dominant religion of Europe, and through Europe the dominant religion of the earth.

To say that Rome's downfall grew out of her expansion is to say that a man's downfall is the result of his growth from childhood. Mr. Speaker, these gentlemen who oppose expansion oppose growth. They say growth is a sign of decay and destruction. They remind me of dotting mothers who grieve that their baby boys should ever grow up to be "awful men," or their daughters ever marry, not stopping to consider that if such wishes prevailed the whole human race would have come to an end with Adam and Eve!

No doubt some of these "good people" think the children of Israel made a great mistake by crossing the Red Sea, traversing the desert, and fording the Jordan to make war on the Canaanites and conquer their country.

These same "good people," if they are consistent, are bound to grieve because our forefathers crossed the ocean and drove the Indians out of this land.

Look at England! Suppose she had acquired no foreign territory, what would she be to-day? A little fraction of a little island; long ago, in all probability, conquered by France or Spain. But by the acquisition of foreign territory she has spread over nearly one-third of the earth the best civilization, the wisest laws, the truest forms of liberty, and the most exalted religion the world has ever known.

Our own country is the fruit of England's expansion, and if she had never expanded the United States of America would have never existed.

And, Mr. Speaker, if we had never expanded, where would we be to-day as a people? We would still be clinging to the shores of the Atlantic Ocean. The first step our forefathers took after leaving their ships was to "acquire foreign territory;" and every westward step they have taken since has been to "acquire foreign territory." And on and on we have gone, crossing the Blue Ridge Mountains, the Alleghenies, the Smokies, and the Cumberland; then crossing the Mississippi River, then the prairies and the

plains, then the Rocky Mountains and the Sierra Nevadas, until at last we reached the Pacific Ocean.

And here we were disposed to rest until the thunder of Dewey's cannon, like the voice of God's angel, called on us to cross the Pacific Ocean and plant our feet on its other shore.

No doubt a plenty of "good people" said it was unwise, inhuman, and unchristian for our forefathers to cross the Atlantic Ocean three hundred years ago and drive out the American Indians and take possession of their country; and if these "good people" had had their way there never would have been any white men over here and never would have been any United States of America, but all of its splendid territory would be to-day as it was when Columbus discovered it—an unbroken wilderness inhabited by unbroken savages—and these howlers and kickers and fault-finders would never have been born.

INCONSISTENCY OF SOUTHERN DEMOCRATS.

There is one thing about some of these "good men" who are charging the Republicans with oppressing the people of the Philippines that strikes me as a little inconsistent. The "good men" to whom I now refer live in those Southern States where the negro vote is practically abolished. I want to know why it is they are such zealous defenders of the rights of yellow and black people who live ten thousand miles away and yet are so hostile to the right of yellow and black people who live in their own States, and are their own neighbors? In the New Testament the question is asked how we can love him whom we have not seen, when we fail to love him whom we have seen.

If I saw these Southern Democrats standing up for the rights of the negro in their own States, then I could believe them when they say they want the black and yellow people of the Philippines to have all the political and civil rights of American freemen. It must be a poor political rule that works one way at home and works another way abroad. That must be a strange sauce that is good for the goose but bad for the gander.

That is an unrighteous kind of charity that has closed ears and closed hands for those who are born and raised our neighbors, but has open ears and open hands for those who live 10,000 miles away. I used to hear it said that "charity begins at home," but now these Democrats want me to believe that charity begins 10,000 miles away from home. That may be Democratic charity, but it is not the sort of charity that St. Paul tells us of; and the great apostle says that though these men speak with the tongues of angels, if they have not this true charity, they "become as sounding brass or a tinkling cymbal." Verily, St. Paul must have foreseen the day when Southern Democrats would rise on the floor of this House and plead for the people of the Philippines, while oppressing their own neighbors. I wonder if some of these Southern Democrats, who so eloquently declare that the people of the Philippines should be given every right and every liberty and every privilege we enjoy, do not hear jingling in their ears, while they plead for those 10,000 miles away and oppress those at home, "You are become as sounding brass or a tinkling cymbal." And verily, Mr. Speaker, we have had a blizzard of "sounding brass" this day on this floor.

FALSE PROPHETS OF EVIL.

"Good men" are sometimes prophets of evil. During our Revolutionary war good men predicted that it would result in the destruction of what few liberties our ancestors then enjoyed. During the formation of our Constitution "good men" predicted that instead of being the shield of liberty it would prove to be the sword of tyranny. When Washington was President some "good men" declared he was no better than a king. And when Jefferson became President some "good men" branded him as an emperor. Some "good men" denounced Andrew Jackson as a tyrant and a usurper. Some "good men" charged that Abraham Lincoln was a despot. Some "good men" predicted that if Grant were elected President he would overturn the Constitution and we would never elect another President.

And now, Mr. Speaker, some of these same "good men" are calling William McKinley an "emperor," and are prophesying that he will destroy our Constitution and rob us of our liberties.

Scientific men say that sometimes the eye is so diseased that everything we see has a sickly, yellow color. So, it would seem, there is a disease of the mind that causes everything to appear dark and foreboding. Persons that have this disease, if they belong to the church, see nothing but hell and damnation in front of the human race; and if they are politicians, see nothing but war, pestilence, famine, and general ruin in the future of their country.

Mr. Speaker, in my day most of these "good men" have been Democrats. Away back in 1860 I heard them declaring, with tears in their eyes and grief in their voices, that the success of the Republican party would ruin our country. During the civil war I heard these "good men" lamenting that our liberties were gone and our rights everlastingly lost. Since the close of the war I have heard these "good men" swear that the "bloated bondholders" were devouring the substance of the people and that

starvation would be the sure fate of the poor. A little later on these "good people" made oath that the "robber barons" would soon own everything, and everybody else own nothing. Indeed, only four years ago thousands of these "good men" traveled all over the United States warning the people that the "Gold Bugs" had all conspired to buy up our country and sell it to England.

And now, Mr. Speaker, these same "good men," with voices of lamentation, are predicting that William McKinley and the Republican party, having already devoured the Porto Ricans, bodies, boots, and breeches, are on their way to swallow Cuba and devastate the Philippines.

FALSE PROPHETS PERISH, BUT THE NATION SURVIVES.

When I was a boy there was a religious sect known as the "Millerites," who believed that the world was doomed to come to an end on a certain day, and on that day they assembled themselves together and proclaimed themselves the elect and damned all the balance of mankind.

During the debate here this afternoon, when I saw and heard Democrat after Democrat get up and declare that they were all the good men left on earth to defend the Constitution and preserve liberty, and that William McKinley and the Republicans were defiling the holy places and outraging human rights and massacring the children of freedom, I was reminded of the "Millerites" and took courage; for, though the "Millerites" scared many old women and young girls, nevertheless the good earth was not destroyed; seedtime and harvest continued, and the "Millerites" became a laughingstock the balance of their lives.

And so, Mr. Speaker, these "good men" of the Democratic party will die as did those other "good men," their predecessors; their prophecies of evil will come to naught, as did the prophecies of the "Millerites" and of those other "good men;" and William McKinley and the Republican party, like Washington and the Federal party, like Lincoln and the Union party, will go on fighting the battles of progress, extending the area of freedom, and carrying the blessings of liberty, law, religion, and science wherever the flag of our country may float and the footsteps of our countrymen are planted.

Mr. HULL. I yield to the gentleman from Michigan [Mr. HAMILTON].

Mr. HAMILTON. Mr. Speaker, the question here involved is not a partisan question. There is no controversy as to whether the Constitution follows the flag, or whether the Constitution extends itself. The question is simply whether it is right to authorize the President to suggest the conditions contained in the Senate amendments to this bill relating to Cuba.

By joint resolution of Congress adopted April 20, 1898, we declared that—

Whereas the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Habana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States and to call into the actual service of the United States the militia of the several States to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

The declaration in this resolution "that the people of the island of Cuba are and of right ought to be free and independent" was not all true.

At the time this resolution was adopted they were not free and independent, but were a colony of Spain in revolt against tyranny of long standing, and the statement that they were then free and independent was not true, but did no harm and is not necessary in determining the relations which now ought to subsist between Cuba and the United States as a result of the war with Spain which followed this resolution.

The essential parts of the declaration contained in the resolution of April 20, 1898, are:

1. That the people of Cuba ought to be free and independent.
2. That the Government of the United States demands that Spain relinquish its authority and government in Cuba and that it quit and vacate Cuba and Cuban waters with its land and naval forces.
3. That the President of the United States is empowered to use the land and naval forces of the United States to execute these resolutions.
4. "That the United States hereby disclaims any disposition or

intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people."

By these resolutions the Government of the United States voluntarily placed limitations upon its future action respecting the island of Cuba and is estopped, in equity and good conscience, from taking action inconsistent with them.

That is to say, (1) we have declared that the people of Cuba ought to be free and independent.

2. We have disclaimed any intention to claim "sovereignty, jurisdiction, or control over the island except for the pacification thereof."

3. And we have asserted our determination when pacification is accomplished "to leave the government and control of the island to its people."

In view of the suggestion now contained in section 6 (relating to the Isle of Pines) of this authorization to the President as to relinquishment of the government and control of the island, the language of the resolution of April 20, 1898, whereby our declaration of intentions is limited to the "island of Cuba" is significant.

We went to war with Spain for the cause of humanity.

So far as I can remember no other war was ever fought prompted by such high and honorable motives.

The war was demanded by our people, with but few exceptions, without regard to politics.

The war which had been raging in Cuba for more than three years was practically a continuation of the revolutions of 1844, 1848, and 1851, and the ten years' war from 1868 to 1878.

Age and sex had not been spared. Every resource of Cuba had been drained to pay for Spanish domination. Justice had become a farce. Highwaymen had plundered where the general government overlooked, and finally, under the administration of General Weyler, the policy of concentration was adopted, whereby thousands of people had been starved to death.

We had for some time been put to great trouble and expense to restrain our own patriotic people from the breach of international law in their sympathy for Cuba.

In the hope of bloodless adjustment the President had urged reasonable concessions by Spain without avail.

Aside from our duty to abate international disorder at our own door, we were under a moral obligation to interfere.

By the Monroe doctrine we had warned other nations against aiding Cuba, and had thereby cut Cuba off from seeking aid elsewhere.

We had reasserted the Monroe doctrine in our party platforms and had reaffirmed the right of this Government "to give that doctrine effect by responding to the appeals of any American state for friendly intervention in case of European encroachment."

We had been specific as to Cuba, and said:

"The Government of Spain having lost control of Cuba and being unable to protect the lives and property of resident American citizens or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island."

THE MONROE DOCTRINE.

The Monroe doctrine is international law, and nations must be presumed to take notice of international law.

All that has been done by the United States with reference to Cuba has been done subject to the Monroe doctrine, and the question now arises whether what is proposed to be asked by these amendments is within the scope of our rights under the Monroe doctrine.

A brief review of the incidents leading to the declaration of the Monroe doctrine and of the American policy which that doctrine supplemented becomes necessary as a part of this argument.

In 1793, when France declared war with Great Britain and our Government was called upon for the first time to determine what our relations ought to be to the nations of Europe, Washington issued his proclamation of neutrality, for which he was slandered as no President since his time has been slandered.

On his final retirement, in his farewell address, he set forth his reasons for not interfering in the affairs of Europe, and his policy outlined in that address has been the settled policy of this nation ever since.

In Jefferson's inaugural address, March 4, 1801, he declared that the principles which should govern his Administration were "peace, commerce, and honest friendship with all nations—entangling alliances with none."

He repeated this in his annual message to Congress October 17, 1803.

The policy of Washington of no entangling alliances with foreign nations was afterwards supplemented by the Monroe doctrine.

After the defeat of Napoleon at Waterloo, in 1815, Alexander of Russia, believing that Napoleon's overthrow was a signal illustration of providential interposition in favor of the divine right

of kings, invited the Kings of Prussia and Austria to join him in a league, which he called the "Holy Alliance." The expressed purpose of this alliance was that the kings who were parties to it would endeavor to rule their dominions in accordance with the principles of Christianity. The monarchs who joined the alliance soon fell away from its high purpose, if they ever really entertained it. The Kings of France, Spain, Naples, and Sardinia joined the league.

Within two months there grew out of the holy alliance what is known as the quadruple treaty between Russia, Prussia, Austria, and Great Britain, signed at Paris in 1815.

At the signing of this treaty it was agreed that the parties thereto should meet in conference at Aix-la-Chapelle in 1818, and at the Aix-la-Chapelle conference the powers united in a project for the joint regulation of European affairs.

Later and pending another meeting of the powers at Vienna in 1822, Spain being then involved in trouble with her American colonies, Mr. Canning, then minister of England, proposed to Mr. Rush, then representing the United States at London, a joint declaration by England and the United States that "it was impossible to look with indifference upon European intervention in the affairs of the colonies of Spain and to see them acquired by a third power."

Mr. Rush refused to join in this joint declaration, on the theory that such joinder would be inconsistent with the policy of Washington as set forth in his Farewell Address, and thereupon made report to Mr. Monroe.

Mr. Monroe submitted the letters of Mr. Rush to Mr. Jefferson, who replied, saying, among other things, that "this question * * * is the most momentous which has ever been offered to my contemplation since that of independence. That made us a nation; this sets our compass and points the course which we are to steer through the ocean of time opening on us."

In his annual message to Congress December 2, 1823, Mr. Monroe promulgated the Monroe doctrine, the substance of which is contained in three inhibitions:

1. No more European colonies on these continents.
2. No extension of European political systems to any portion of this hemisphere.
3. No European interposition in the affairs of the Spanish-American republics.

The Monroe doctrine has been applied to Cuba in the following instances:

October 25, 1825, Mr. Clay, then Secretary of State, in a communication to Mr. Brown, then American minister to France, referring to a former communication, said:

"It was stated to the French Government that the United States could not see with indifference these islands (Cuba and Porto Rico) passing from Spain to any other European power."

Mr. Calhoun, in a speech in the Senate May 15, 1848, declared it to be the fixed determination of this Government "that if Cuba pass from her (Spain) it shall not be into any other hands but ours."

December 1, 1852, Mr. Everett, then Secretary of State under President Fillmore, declared that the President fully concurred with his predecessors "that the United States could not see with indifference the island of Cuba fall into the possession of any other European government than Spain."

By these amendments we now propose:

That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled "for the recognition of the independence of the people of Cuba, demanding that the government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

1. That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise lodgment in or control over any portion of said island.
2. That said government shall not assume or contract any public debt to pay the interest upon which, and to make reasonable sinking-fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.
3. That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.
4. That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.
5. That the government of Cuba will execute and, as far as necessary, extend the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the Southern ports of the United States and the people residing therein.

6. That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

7. That to enable the United States to maintain the independence of Cuba and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

8. That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

This amendment is simply an authorization to the President "to leave the government and control of the island of Cuba to its people" under certain enumerated conditions.

The question for us to determine is, first, whether these conditions in any way violate our resolution of April 20, 1898, construed in the light of the Monroe doctrine, subject to which that resolution was passed; second, whether they are consonant with the Monroe doctrine.

The Supreme Court of the United States in *Neeley vs. Henkel* (decided in January, 1901) sums up the situation to that date in these words:

The legislative and executive branches of the Government, by the joint resolution of April 20, 1898, expressly disclaimed any purpose to exercise sovereignty, jurisdiction, or control over Cuba, "except for the pacification thereof," and asserted the determination of the United States, that object being accomplished, to leave the government and control of Cuba to its own people. All that has been done in relation to Cuba has had that end in view, and, so far as the court is informed by the public history of the relations of this country with that island, nothing has been done inconsistent with the declared object of the war with Spain.

The court then declares the relations of Cuba and the United States and the obligations of the United States to the inhabitants of Cuba growing out of the joint resolution of April 20, 1898, as follows:

As between Spain and the United States—indeed, as between the United States and all foreign nations—Cuba, upon the cessation of hostilities with Spain and after the treaty of Paris, was to be treated as if it were conquered territory. But as between the United States and Cuba, that island is territory held in trust for the inhabitants of Cuba, to whom it rightfully belongs and to whose exclusive control it will be surrendered when a stable government shall have been established by their voluntary action.

The question which must be honestly considered is whether we are complying with our obligations and our duty to the people of Cuba by the terms of this our authorization to the President.

It is proposed—

I.

that the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise lodgment in or control over any portion of said island.

This section comes clearly within the Monroe doctrine in that it provides:

- (1) Against the extension of any European political system to Cuba by binding her not to enter "into any treaty or compact with any foreign power or powers which will impair or tend to impair" her independence.
- (2) It provides against permission to any foreign power or powers for "lodgment in or control over any portion" of Cuba by colonization or otherwise.

II.

That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government shall be inadequate.

This simply provides that the island shall not mortgage itself beyond its power of redemption, and so that it may not hereafter pass in whole or in part under the control of any foreign power by the insidious operation of a public debt.

This is a legitimate exercise of the Monroe doctrine as emphasized by our specific declarations regarding Cuba.

It is also a measure of proper protection of Cuba, the propriety of which is emphasized by conditions in Mexico where the import duties of Vera Cruz and Pacific ports are held by Great Britain for interest on a fifty-million dollar loan negotiated in 1826.

The case of Egypt, which is now controlled by Great Britain through the Egyptian debt, is notorious.

Failure of payment of indebtedness for betterments and improvements at maturity to a nation rich enough to make the loan would be followed by seizure of ports and customs.

It is our duty to guard against such seizure and control for the future peace of mankind. Further, it is our duty to guard against such contingencies under our promise, express and implied, to establish a stable government. Such action is also in harmony with our frequent declarations that we could not with indifference see Cuba passing into the possession of any foreign power.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

The treaty of Paris contained the following provision:

ARTICLE I.

Spain relinquishes all claim of sovereignty over and title to Cuba. And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

The language of section 3 emphasizes the beneficent intentions of this Government toward Cuba. We ask that Cuba consent that we exercise the "right to intervene for the preservation of Cuban independence," and "the maintenance of a government adequate for the protection of life, property, and individual liberty."

By this request we inferentially guarantee "the preservation of Cuban independence" and stable government, and thereby further inferentially disclaim "any disposition or intention" to take Cuban territory. This section is also pursuant to and in harmony with our disclaimer of "intention to exercise sovereignty, jurisdiction, or control over said island" and our promise of pacification contained in our resolution of April 20, 1898.

Our obligations in regard to stable government do not necessarily cease upon our withdrawal from the island. The first establishment of government in the island of Cuba is necessarily experimental and may utterly fail. The ability of the people of Cuba to govern themselves will be on trial.

A civil war in Cuba might furnish as strong an argument for intervention by us as did the war with Spain, with the further obligation of pacification contained in our resolution of April 20, 1898, superadded. In other words, the announcement of the formation of a government by the people of Cuba does not in itself discharge us from our obligations.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

There ought to be no objection to this.

V.

That the government of Cuba will execute, and as far as necessary extend, the plans already devised or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

This is a provision for the preservation of the public health of the people of Cuba and of the United States and is proper to be incorporated in a treaty. There is nothing in this proposition restrictive of Cuban independence.

The only restriction proposed is a restriction upon the spread of disease. It is simply proposed that the two governments shall cooperate for the public health of both.

It is a civilized suggestion, which though it may not of right be insisted upon as a condition, and a treaty omitting it might not for that reason fail of ratification, nevertheless it ought to be acceded to by Cuba without demur as being for the common benefit of the people of Cuba and the United States.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

The Isle of Pines is 40 miles from the Cuban coast, and as I understand has been omitted by the Cuban constitution already framed from the description of the territorial limits of the government.

Our resolution of April 20, 1898, related to "the island" of Cuba. However, the title to the Isle of Pines is by this section properly "left to future adjustment by treaty."

This island is said to contain about 537,600 acres, much of it swamp and the rest of it rolling, sandy pine lands. By the census of 1899 it had a population of 3,199. It was formerly the resort of pirates and was afterwards made a penal colony. It is of little value to Cuba, but might be of value to us as a supply station in case it should become necessary for us to defend the proposed Nicaragua Canal.

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

By this section we propose to the government of Cuba that it sell or lease to us lands for coaling or naval stations to enable us to maintain Cuban independence and to protect the people of Cuba.

By our resolution of April 20, 1898, we assumed the duty of pacification of Cuba. That duty carries with it the duty of aiding the people of Cuba in the establishment of a stable government. With our knowledge of the people of Cuba we can not assume that their first experiment in self-government will be attended with immediate order. Neither can we look into the future and say when they will be able to proceed unaided. Internal disorder would not only invite foreign intervention contrary to our Amer-

ican policy, but would be disastrous to the development and welfare of the people of Cuba.

We prefer to withdraw now and pursuant to our resolution "to leave the government and control of the island to its people," but in so doing it is our duty to be within sufficient hailing distance to aid the government which we have enabled to be organized to succeed and to respond when needed for their protection and the continuance of that order and good government for which we have become responsible not only to Cuba by the resolution of 1898, but to the world by virtue of the Paris treaty. Ours is a continuing obligation from which we can not absolve ourselves at once. If, as stated, in effect, by the Supreme Court, we are the trustees for the people of Cuba, our trust is not fully consummated and our duty is not fully discharged until order is established.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

This section simply proposes the reducing of our understanding to writing, so that there shall be no future misunderstanding as to what we have agreed on—no room left for conflict of testimony, difference of construction, or defect of memory.

It is, perhaps, superfluous to speak of gratitude. Among men the very generosity which prompts a favor makes impossible a reminder of reciprocal obligations.

In the light of history since April 1898 it would seem that the people of Cuba ought to hasten to inquire of the United States what return they could make to us for what we have done and would scorn the very appearance of withholding anything which a nation prompted by the motives which animated us in our warfare in their behalf might ask. But sentiments like these seem to find no part in international dealings. The cold and formal outlines of a treaty are never softened by sentiment. All things proceed by rule of action except when driven out of true by partisanship.

We went to war with Spain for a cause unique in history—the cause of humanity—and above the graves of thousands of reconcentrados starved to death by Weyler's order, above the harbor where the *Maine* lies buried, we are doing our best to raise the monument of Cuba—reorganized, regenerated, and free. We are proceeding as we began—in the cause of humanity.

Mr. HULL. I yield to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Speaker, this bill, as the House is compelled to act upon it, is a striking illustration of a most vicious and iniquitous practice in national legislation. An Army bill, which must be passed in order to provide for absolutely necessary expenditures, comes down from the Senate with a large number of amendments which originated in the Senate, and in order to pass the bill under the rule just adopted we are compelled to vote for all of the amendments whether they do or not meet our approval. This is a method invariably adopted for securing the passage of obnoxious measures which otherwise would not meet with the approval of the House. The principal measure is simply used as a vessel to sustain cargoes that otherwise would sink of their own weight.

This bill has two amendments of great moment, of far-reaching consequences, that have never been considered by any committee on the part of the House, and must be accepted after only two hours of debate. One relates to the Philippine Archipelago, one to Cuba. While I have grave doubts as to our constitutional right to delegate legislative power, as is clearly contemplated by the Philippine amendment, I should vote for the bill with this amendment if I could do so without at the same time being obliged to vote for the Cuban amendment, in which I do not believe. The Philippine amendment contemplates a change from military rule to civil rule, and is an advance over existing conditions. It does not add to, but limits executive power.

I am firmly of the opinion that the person or persons that may discharge the duties devolved upon them by this amendment will be restrained and controlled therein by all of the constitutional limitations and guaranties protecting life, liberty, and property. I do not for a moment believe that they can, even if they desired, exercise absolute, arbitrary, autocratic power. We may have occasion to remember that by this amendment we legislate for the Philippines. While I should vote for this amendment if it stood alone, I believe that a form of territorial government following the lines of the territorial governments created for Louisiana in 1804 and Florida in 1822, would, from every consideration, be much more desirable. It would commit us to nothing to which this amendment does not commit us, and it could not fail to be a much more potent influence in securing peace in the archipelago—a consummation certainly most "devoutly to be wished."

The Cuban amendment does not seem to me to be in accord with the solemnly declared and frequently reiterated policy of the Republic relative to Cuba. Beside this, it practically assumes grave responsibilities which do not now exist. The position which the

Republic now sustains to Cuba is, I believe, fairly and truthfully stated by the Supreme Court in the opinion in the Neely case, in which the court says unanimously, speaking through Mr. Justice Harlan:

The legislative and executive branches of the Government, by the joint resolutions of April 20, 1898, expressly disclaimed any purpose to exercise sovereignty, jurisdiction, or control over Cuba, "except for the pacification thereof," and asserted the determination of the United States, that object being accomplished, to leave the government and control of Cuba to its own people. All that has been done in relation to Cuba has had that end in view; and, so far as the court is informed by the public history of the relations of this court with that island, nothing has been done inconsistent with the declared object of the war with Spain.

Again, giving a perspicuous judicial statement of the clear duty of the United States in this exigency:

But as between the United States and Cuba, that island is territory held in trust for the inhabitants in Cuba, to whom it rightfully belongs and to whose exclusive control it will be surrendered when a stable government shall have been established by their voluntary action.

The Cuban amendment, which is said to contain our ultimatum to Cuba, does not, in my opinion, contemplate surrendering "exclusive control" of Cuba to the "inhabitants of Cuba," for whom the territory is now "held in trust," "when a stable government shall have been established by their voluntary action;" but, on the contrary, it seems to me that it clearly intends to perpetuate our control over the island and its inhabitants.

In the third section we require Cuba to consent to our right to intervene for the "maintenance of a government adequate for the protection of life, property, and individual liberty." This does not in terms require them to consent that we may intervene "for the protection of life, property, and individual liberty," only to maintain "a government adequate" for that purpose; but practically it makes us the judges of the existence of the exigency that justifies our intervention, and the right to intervene for that purpose submits to our control the government which they establish.

It is not a very long step from the right to intervene to the obligation to exercise that right when its exercise is demanded by those in whose interests it may be assumed the right was conceded. No one can tell under what circumstances it might be insisted by foreign capital, to illustrate, that the Cuban government was inadequate to protect property and individual liberty, or when it might be asserted by a foreign government in the interests of the personal or property rights of its citizens residing therein or having relations therewith that the government was inadequate, and we must protect them in that regard. In section V, in case of any change as to sanitation, they have no power to make it except with our consent, thus being clearly subordinate to our control in this particular.

It may be conceded that if we were to exercise control over them, this subject, above all others, would be the one over which it should be exercised.

The desirability or importance of control does not demonstrate the existence of the right when the rights of the parties are derived from their declared purposes. In section seven the purpose for which the coaling or naval stations are to be acquired is stated as follows: "To enable the United States to maintain the independence of Cuba and to protect the people thereof, as well as for its own defense." When we acquire and occupy territory "to protect the people thereof" it is not a strained construction to hold that we are by virtue thereof bound "to protect the people thereof."

This is the principal purpose of any government that may be established "by the inhabitants of Cuba."

Against whom are we "to protect the people thereof," and what occasion is there for protecting "the people thereof" if we maintain, as we insist we wish to do under section three, a "government adequate for the protection of life, property, and individual liberty?" What legitimate occasion have we to "protect the people thereof" when there is or ought to be in existence a "free, independent government established by its people" for that very purpose? Are we to protect them against internal disorder, against their own government, or against foreign governments? Evidently the rights to be conceded by section three were not sufficiently broad and comprehensive, and in order to make our control more absolute and complete this extremely general language was added in section seven.

These three sections clearly involve, as it seems to me, a perpetuation of our control instead of a surrender of "exclusive control" to the inhabitants of Cuba, which the Supreme Court has said is the purpose for which we now hold the possession. This amendment goes further than we are required to go, and assumes obligations indefinite, undetermined, far-reaching, much beyond any duties devolved upon us by the treaty. Article XVI of the treaty provides: "It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof, but it will, upon the termination of such occupancy, advise any government established in the island to assume the same obligations." It can not be successfully denied, as it seems to me, that this clause in the treaty clearly contemplates that at some time in the near

future our occupancy of this island would terminate, and that at that time our obligations with "respect to Cuba" would also terminate, and our only obligation then remaining would be to "advise any government established in the island to assume the same obligations."

Under the ultimatum, however, all of these obligations are not only continued, but they will prove to be very greatly enlarged. We are not to escape the "ills we have," but "fly to others that we know not of."

By this ultimatum we, in effect, assume a protectorate over Cuba. This is a new departure in our national policy, as that is a power which we have never before undertaken to exercise and which it has been insisted was entirely out of the question in connection with the Philippines.

I do not believe a protectorate can be predicated upon the Monroe doctrine, nor do I believe that we can constitutionally exercise such a power. If we can, we can exercise it wherever the Monroe doctrine applies, and it is conceded that applies to the whole continent. Are we to exercise protectorates in time over all the South American governments as occasion may arise? The assumption of such vast responsibilities no one who loves our institutions can contemplate without serious misgivings.

I believe in the sincerity and honesty of the declaration of April 20, 1898, with which we embarked upon the war with Spain. It has been consistently reasserted on many solemn occasions since. The deliberate and emphatic declarations of our peace commissioners during their negotiations, which resulted in the treaty of Paris, in October and November, 1898, six months after the declaration of war, when the frenzy, if any there was, may be assumed to have subsided, fully justify the conclusions of the Supreme Court. Insisting upon the capacity of the Cubans to govern themselves, and repudiating an intimation on the part of the Spanish commissioners that the opposite was true, they said on October 27, 1898:

The American commissioners are unaware of the ground on which it is asserted in the Spanish memorandum that the United States has been compelled to admit that the Cuban people are as yet unfit for the enjoyment of full liberty and sovereignty. It is true that an intimation of such unfitness was made in the note of the Spanish Government on the 22d of July last. The Government of the United States, in its reply of the 30th of July, declared that it did not share the apprehensions of Spain in this regard, but that it recognized, in the present distracted and prostrate condition of the island, brought about by the wars that waged there, aid and guidance would be necessary. (The treaty of peace between the United States and Spain, pp. 102-103.)

They do not seek to evade this conclusion, as they repeat the declaration on November 9, 1898. (Ibid., p. 143.)

The character of our occupation was clearly stated in the negotiations. Spain insisted that the United States was to receive the sovereignty over Cuba, hold it for the necessary time, and then leave it "at the disposal of the government that may be constituted in Cuba." Our commissioners exercised scrupulous care in repelling the idea that we were to exercise any sovereignty over Cuba, even for a temporary purpose, saying, October 14, 1898:

The American commissioners understand the Spanish memorandum to maintain that their Government, prior to the war, demanded of Spain, in effect, if not in words, the relinquishment of her sovereignty over Cuba to the United States. * * * The precise words of this demand are "that the Government of Spain at once relinquish its authority and government in the island of Cuba and Cuban waters," and the demand is accompanied by the declaration that the United States in taking the step "disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people, under such free and independent government as they may establish."

From the demand thus fully set forth in the Spanish memorandum extracts the assertion by the United States of its determination "to leave the government and control of the island to its people;" and, omitting both what precedes and follows, construes that assertion as a demand that such relinquishment must be made through them (the United States). The demand, as a whole, however, carefully and clearly excludes this construction. Not only is the assertion preceded in the same sentence by an express disclaimer on the part of the United States of any disposition or intention to take the sovereignty of the island, but the assertion itself includes an express declaration of a determination to allow the island to remain after pacification "under such free and independent government" as may be established by its people. (Ibid., p. 47.)

A government which we dominate, which is expressly subjected to our control by this ultimatum, which we do not propose to allow established except upon such conditions, can not with any propriety be said to be a "free and independent government established by its people."

The Spanish commissioners still insisted upon our assuming this qualified sovereignty (Ibid., pp. 83-85), and on October 27, 1898, our commissioners squarely denied the claim, saying:

The American commissioners have never denied that the island of Cuba will, upon its evacuation by the Spanish forces, come into possession of the authorities of the United States; but this possession is to be by no means confounded with the sovereignty of the island, which the United States has long since declared to Spain an intention not to assume. The United States will take possession of the island for the purpose of pacifying it, but not as titular sovereign, and it is not to be charged with proposing to reduce it to the condition of a "desert territory in Africa" merely because it declines to assume the character of such sovereign. (Ibid., p. 98.)

The pure, lofty, and disinterested purpose which inspired all of

the acts of the United States throughout was proudly and truthfully stated by our commissioners on October 27, 1898. They said:

It is not necessary to recite the record of the events which followed that demand (involved in the declaration of war), well known to the members of this commission, and which are now a part of the history of the world. It is true that the enforced relinquishment of Spanish sovereignty will result in the freedom and independence of the island of Cuba, and not in the aggrandizement of the United States. * * * Not having taken up arms for its own advancement, having refrained from acquiring sovereignty over Cuba, the United States now seeks to attain a peace consistent with its ends and purpose in waging war.

Its relations to Cuba have been those of a people suffering without reward or the hope thereof. (Ibid, p. 107.)

It would be doing great violence to the character for candor and probity of the distinguished men who represented us if we were to assume that they then contemplated that we should take occasion, while carrying out these sublimely disinterested purposes, to aggrandize ourselves by the forcible acquisition of coaling or naval stations for our "own defense."

Further references are unnecessary. There is no discordant note; no intimation or inference that is inconsistent with the purity and sincerity of our holy purpose. The negotiations breathe it in every line and paragraph. We do not stand on equal terms. Cuba is powerless. She is compelled to accept our terms. Every consideration requires us to be consistent, sincere, and generous. We can not afford to aggrandize ourselves. The honor of our country is at stake in the fulfillment of these great purposes, in their letter and in their spirit.

I do not think this history can be brushed out with a wave of the hand on the ground that it was an improvident declaration hysterically made when Congress was at a white heat, responding to a wave of frenzied excitement sweeping over the country. I concede that hasty action is likely to be ill-considered action. I hope the action taken to-day under the pressure of the nearing close of the session and an inevitable special session if this bill fails may not prove to be action taken in haste, of which we may have occasion to repent at our leisure. Nor can it be eliminated, in my judgment, because some statesmen may have an itching palm for Cuba with its wealth.

If it were the purpose of the Cuban amendment—which I do not assert—to impose conditions that would compel the annexation of Cuba, I am not prepared to say that it is not well adapted to produce that result. Such a result, thus accomplished, would humiliate our common country to the last degree. I hope to be able to still cherish the opinion asserted in the following colloquy by a distinguished citizen of Wisconsin in another body:

Mr. SPOONER. Has the Senator any suspicion in his mind that the pledge made in the resolution passed by Congress as to the temporary character of our occupation in Cuba is not to be kept?

Mr. HALE. I have.

Mr. SPOONER. Kept not simply to the letter, but kept in spirit?

Mr. HALE. I have very grave suspicion, Mr. President.

Mr. SPOONER. Then, Mr. President, the Senator is a pessimist, beyond any I have ever met.

Mr. HALE. Now, let me say to the Senator I think there are very powerful influences in this country—I think they are largely located in New York City, I think they are largely speculative and connected with money-making enterprises—that are determined that we shall never give up Cuba. I am profoundly impressed and profoundly depressed by the fact that I find in hundreds of quarters a determination that we shall never withdraw from Cuba, but shall retain her as a possession of the United States.

Mr. SPOONER. It will never turn out, my friend from Maine, that any man in any country can point to the Teller resolution and say with truth that it was a legislative lie.

Mr. HALE. I hope so.

Mr. SPOONER. The Senator need not hope so; he had better know so.

Mr. HALE. I do not know.

Mr. SPOONER. Well, he ought to know.

May we all "know." I do not feel at liberty to support this bill with an amendment which is thus at variance with our declared and construed purposes with respect to Cuba.

Mr. HULL. Mr. Speaker, has the gentleman from New York [Mr. SULZER] exhausted his time?

The SPEAKER. The time on that side is exhausted.

Mr. HULL. How much time have I remaining?

The SPEAKER. Fourteen minutes.

Mr. HULL. I will occupy three minutes of that time. I hope the Speaker will call me down if I exceed that limit.

The SPEAKER. The gentleman from Iowa will proceed for three minutes.

Mr. HULL. Mr. Speaker, this is probably a bad time for a man to refer to any personal matters; but for the last two days gentlemen in both branches of Congress have aimed to make me the target of their criticism on account of a business enterprise. This was started by William J. Bryan, while a candidate for the Presidency. When the campaign was in progress last year, it was published over my district and my State, and was met there by a full statement of fact, answered by an increased majority. I will say to the gentleman from Tennessee that I am the same man that is connected with the Philippine Lumber Company, and that I have something invested in that enterprise. I will say further to

this House that I have not, nor has that company, ever asked one favor of the Government of the United States; and we do not propose to do so. Our dealings there are with men who have titles in fee simple of long standing. The business is entirely legitimate.

And I want to say to this House and the country that whenever the time comes that I am not permitted to invest in a legitimate enterprise I would prefer to leave Congress to being a drone, dependent only on politics for my living. [Applause.] I will say further to the gentleman from Tennessee, and to this House, that while the campaign was on, the company with which I am associated called a halt in their enterprise and notified every one of the stockholders that if Bryan should be elected not one dollar would we invest in the Philippines, but if McKinley should be elected we would invest all the money that we pleased, believing it would have a favorable return by the restoration of order and good government in the Philippines. [Applause on the Republican side; derisive applause on the Democratic side.]

Bryan's election would mean disorder and anarchy in the islands. McKinley's election would mean order and thrift.

Under the one I would not be willing to invest in any legitimate enterprise; under the other the ax and the sawmill would be encouraged, labor benefited, and civilization advanced.

Now, why? Because the one man was trying to run the country on wind and the other believed in legitimate enterprise. [Great confusion in the Hall.] I yield the balance of my time to the gentleman from Iowa.

Mr. HEPBURN. Mr. Speaker, how much time have I?

The SPEAKER pro tempore. The Chair could not hear, owing to the confusion, what the gentleman said.

Mr. HULL. All the time I have—eleven minutes, as I understand.

The SPEAKER pro tempore. The gentleman is recognized for eleven minutes.

Mr. KLUTTZ. I ask that the gentleman's time be extended by unanimous consent.

Mr. HEPBURN. Mr. Speaker, it is not at all surprising that the gentleman from Colorado should be perplexed, as he says he is, when he recalls certain language in the Declaration of Independence, and when he remembers some portion of the history of the Republic of a great many years ago. He quoted:

We believe it to be self-evident that all men were created equal, and endowed by their Creator with certain inalienable rights, and among these life, liberty, and the pursuit of happiness.

That all governments derive their just powers from the consent of the governed.

Mr. Speaker, these sentences were written by Thomas Jefferson, the old apostle of Democracy, and yet when he wrote these sentences he was the owner of more than a score of slaves that he could drive to unrequited toil with the taskmaster's lash. He could sell wife from husband and child from its mother's arms.

Mr. LENTZ. Will the gentleman permit me to interrupt him?

Mr. DALZELL. Let us have the regular order.

Mr. HEPBURN. I do not yield. I remember that when George Washington assembled the tattered patriots of his army to hear read in general orders the Declaration of Independence, as he stood, the cynosure of all eyes, and as his adjutant read, he must have recollected, when these words fell upon his ears, that he was then the largest slaveholder in the United States. But the gentleman from Colorado is not the only man that is perplexed by this language when he attempts the application that he makes.

Does any man suppose that when the fathers of the Republic—when these two distinguished heroes and patriots wrote or listened to this language they gave it the interpretation that men wholly unfit, that men uneducated, that men unaccustomed to self-restraint, that men without capacity for government, inexperienced in government, should govern? No man believes that.

Mr. CARMACK. Will the gentleman permit me?

Mr. HEPBURN. I do not yield. I do not want to be discourteous, but have only ten minutes.

Mr. Speaker, I think that these gentlemen have abused the language of the Declaration of Independence long enough. How sincere are you when you quote these passages, you men who to-day are striving by all your powers to rob American citizens of their right of self-government? [Great applause on the Republican side.]

You Virginians that prate about the Declaration of Independence, that quote Jefferson and Washington, that voice the claim with pride that your political lineage comes from them, and you of Maryland, and you of South Carolina, and you of North Carolina, and you of Alabama, and of Mississippi, what do you mean when you aid or quietly sit by and see men driven from the status of citizenship, citizens so declared by the Constitution, robbed of the power to vote and of all participation in political power? [Loud applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Will the gentleman allow me to interrupt him?

Mr. CARMACK. Do you believe they are violating the Declaration of Independence?

Mr. HEPBURN. I have not time for colloquy.

Mr. WILLIAMS of Mississippi. I should like to ask the gentleman a question, Mr. Speaker.

Mr. HEPBURN (continuing). I must decline to yield, no matter how interesting to me a political conversation is always with my friend from Mississippi.

The SPEAKER. The gentleman from Mississippi is out of order. The gentleman has declined to yield.

Mr. WILLIAMS of Mississippi. I understand. I addressed the Chair and requested the gentleman's permission to interrupt him.

The SPEAKER. The gentleman declined to yield in advance.

Mr. HEPBURN. Mr. Speaker, this debate has called out from certain gentlemen upon the floor declarations that it seems to me ought to be understood. The American people have the right to demand that it should be understood. One gentleman in connection with members of another deliberative body has used the word "connivance," the word "connive."

Ah, there is something sinister in that word. It is an uncanny word, Mr. Speaker. What does it mean? It means "silent or indirect assent, especially to wrong doing;" "forbearing to notice what one should antagonize;" "passive encouragement or cooperation;" "guilty assent to a wrongful or criminal act during its occurrence."

These are the meanings of that word. Let me explain how and under what circumstances that unseemly word is applied by a distinguished Democrat, who always uses the English language with wonderful correctness—with wonderful vigor; who selects words that convey his exact shade of meaning as perhaps no other English scholar does, or at least of any that I have ever heard. Let us see what it means. In another body there were two or three measures pending, and by perhaps adroit management the Republican managers had placed this bill that we are now considering in precedence of others. What were they? One was the river and harbor bill; one was the bill making appropriations for the Louisiana Purchase Exposition; the third the Army bill now before us.

All through the weeks past we have heard declarations, loud, vigorous, and continuing, that this bill, with its political amendments relating to Cuba and the Philippines—the sum of all infamies, as we were told here and in the other Chamber—could not pass; that there were Senators there that had the power to put a veto upon it; that they intended to exercise that power. All the newspapers have been replete with their declarations of the endurance they would manifest, and the certainty that they in the end would prevent, by the methods we all know they command, the passage of this objectionable bill—

The SPEAKER. It is the duty of the Chair to remind the gentleman from Iowa that commenting upon the action of members of the other House is entirely out of order.

Mr. HEPBURN. Mr. Speaker, I was trying to comment upon the extraordinary language of the gentleman from Missouri. I want to quote, in the light of what I have said, if I may say it, in the light of your knowledge of conditions. I want to call your attention to this remarkable language of the gentleman. It must have been applied to Democrats; it could not have been applied to Republicans, because Republicans are and have been favorable to this bill; it is their legislation.

Here is the language of the gentleman from Missouri, already referred to by the gentleman from Ohio:

There is thrust into this Chamber now, by the tyranny of the majority, by the connivance of others who had power and did not use it, a question which can not be considered here, but which is to be settled here. In the closing hours of this session the body which could have prevented, the men who could have barred from this Chamber these great questions, for reasons of their own which I have not time to bring into light, and upon which I do not care now to enter—for reasons of their own, yielding to inducements sufficiently powerful to them and with them, have allowed this measure to come with these amendments to this House.

Ah, Mr. Speaker, how strange is that language coming from the gentleman from Missouri, intense partisan that he is—so prone to censure his political opponent; so prone to sustain his political ally. How intense must be his feelings if he intends to apply this bitter language to his own political associates in another body.

But, Mr. Speaker, the gentleman is not content with the language I have quoted. He continues:

And here, with the representatives of the American people shackled with trades and bargains and connivance—with cringing and bending of the knee that thrift may follow fawning—the rights of the American people are to be frittered away, their Constitution is to be disregarded, the people in the far-away Philippines are to be outraged, the risk of war in Cuba is to be hazarded, and all, all that those subservient enough to do it may register the decrees of imperial majesty here in the United States of America.

Mr. Speaker, am I not right in speaking of the language of the gentleman as remarkable? Have you ever heard its like in this body? Is there another instance in which the gentleman from

Missouri or any other gentleman has so lashed his political friends? But even this is not all. Again I quote from the gentleman:

If I had the time I would be glad to discuss this infamous measure. I would be glad to discuss the infamous procedure, the infamous surrender, the infamous cowardice, the infamous trading and trafficking, the infamous disregard of everything sacred and holy and decent and honorable and glorious in these United States of America. But the time is lacking.

The people abroad, perhaps, in their day (for their day, I hope, in the good providence of God is coming), the people probably abroad may brand as they deserve and may lash from public places as they ought to do, the recreant men—men in appearance—recreant creatures who are ready now to surrender everything and forego everything that is decent, honorable, and constitutional and right—everything that has tended to make our nation glorious—and who resort willingly to everything that may make it infamous now and in all the hereafter. I commend to the tyrants here, I commend to the sycophants and the traders and the traffickers elsewhere, the plunder that they get.

Mr. Speaker, let me remind you that the intense indignation of the gentleman can not be entertained for his opponents alone. His lance is not leveled at them. When he tells us that the political amendments are placed in the bill "by the connivance of others, who had the power to prevent and did not use it," who does he mean? Surely not the "tyrants of the majority," for he says there "were others."

Oh, Mr. Speaker, how much of uncertainty and doubt the gentleman could have relieved us of if he had only told the House who "the others" were—"the others" who aided in "the infamous procedure" of passing this bill. Who are the men who participated in "the infamous surrender?" Who are the men who exhibited "the infamous cowardice?" Who are the "men who had the power to prevent and failed to use it?" They are not in this House. Here interminable talk is not possible. Here we have rules.

No one in this House has played the bravo and informed the public of their intent to talk this bill to its death—to talk to the end of the session. Here it was known they would not be permitted to so prevent legislation.

Again, here there has been no situation that could justify the gentleman's charge that for a consideration any member could have done or omitted to do anything for an ignoble motive. Here the Army bill did not block the way to other legislation. Here the river and harbor bill and the Louisiana exposition bill, that contained the plums and the plunder, were not impeded by the Army bill; so that the language of the gentleman could not apply to members of this House. He must have intended to apply it to "others." What were the reasons, Mr. Speaker, that influenced "the others?"

Who has received the "plunder?" Who are the men who have taken the bribe—the bribe for failing to do what they might have done? Mr. Speaker, I am afraid we will never know. In fact, the gentleman, under the rules, could not inform us. He has done the best he could. He has told us the criminals are not the "tyrannous majority." He has told us the crime was not committed in this House, but in some other body, where "the others" had the power that they did not use. It could not be here, for here the minority have no power they have not used.

Mr. Speaker, I can conceive the bitter reprehension the gentleman may have for men who will do the things the gentleman has described in such bitter terms, even when they act in obedience to party dictates and to their best convictions of what is right; but I can not conceive the contempt, the unutterable loathing, he must feel for men who do the same things—deserting their party and their convictions and their sense of duty for base and sordid motives—for bribes, for plunder: men who consent that a necessary money bill may be "loaded with infamy," with that which they say is infamous, in order to get it out of the way, in order that they may reach and pass other bills that contain for them that which the gentleman calls "plunder."

And, Mr. Speaker, if the gentleman is right in what he charges, "who shall say him nay?"

The SPEAKER. The time of the gentleman has expired.

Mr. HEPBURN. I ask leave to extend my remarks in the RECORD. [Loud applause on the Republican side.]

The SPEAKER. The Chair will say to the gentleman from Iowa that general leave to extend remarks has been given.

Mr. LENTZ. Mr. Speaker—

The SPEAKER. The question is on the motion of the gentleman from Iowa.

Mr. LENTZ. A parliamentary inquiry.

The SPEAKER. For what purpose does the gentleman rise?

Mr. LENTZ. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LENTZ. Will it be in order for the chairman of the Military Committee, the gentleman from Iowa, to vote upon this question, in view of the fact that he is interested in continuing the Philippine war.

The SPEAKER. That is not a parliamentary inquiry. The question is on the motion of the gentleman from Iowa.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. HAY and others. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 161, nays 137, answered "present" 4, not voting 51; as follows:

YEAS—161.

Acheson,	Dick,	Kerr, Md.	Rosenberg,
Adams,	Dovener,	Kerr, Ohio.	Russell,
Aldrich,	Eddy,	Ketcham,	Shattuc,
Alexander,	Emerson,	Knox,	Shelden,
Allen, Me.	Esch,	Lacey,	Sherman,
Babcock,	Fletcher,	Lane,	Showalter,
Bailey, Kans.	Fordney,	Lawrence,	Sibley,
Baker,	Foss,	Linney,	Smith, Ill.
Barham,	Fowler,	Littauer,	Smith, Iowa
Barney,	Freer,	Long,	Smith, Samuel W.
Bartholdt,	Gamble,	Loudenslager,	Smith, Wm. Alden
Bishop,	Gardner, Mich.	Lovering,	Southard,
Boreing,	Gardner, N. J.	Lybrand,	Spalding,
Boutell, Ill.	Gibson,	McCleary,	Sperry,
Bowersock,	Gill,	Mahon,	Sprague,
Brick,	Gillet, N. Y.	Marsh,	Steele,
Bromwell,	Gillett, Mass.	Mercer,	Stevens, Minn.
Brosius,	Graft,	Mesick,	Stewart, N. J.
Brown,	Greene, Mass.	Miller,	* Stewart, N. Y.
Brownlow,	Grosvenor,	Minor,	Stewart, Wis.
Burke, S. Dak.	Grout,	Mondell,	Sulloway,
Burkett,	Grow,	Moody, Mass.	Tawney,
Burleigh,	Hamilton,	Moody, Oreg.	Taylor, Ohio
Butler,	Haugen,	Morgan,	Thomas, Iowa
Calderhead,	Hawley,	Morrell,	Tompkins,
Cannon,	Heatwole,	Morris,	Tongue,
Capron,	Hedge,	Needham,	Van Voorhis,
Cochrane, N. Y.	Hemenway,	O'Grady,	Vreeland,
Connell,	Henry, Conn.	Olmsted,	Wachter,
Conner,	Hepburn,	Otjen,	Wanger,
Corliss,	Hill,	Overstreet,	Warner,
Cousins,	Hitt,	Packer, Pa.	Waters,
Cramer,	Hoffecker,	Parker, N. J.	Watson,
Crumpacker,	Hopkins,	Payne,	Weaver,
Curtis,	Howell,	Pearce, Mo.	Weeks,
Cushman,	Hull,	Pearre,	Weymouth,
Dahle,	Jack,	Phillips,	Wright,
Dalzell,	Jenkins,	Prince,	Young,
Davenport, S. A.	Jones, Wash.	Pugh,	
Davidson,	Joy,	Ray, N. Y.	
Dayton,	Kahn,	Roberts,	

NAYS—137.

Adamson,	Finley,	McCall,	Ryan, N. Y.
Allen, Ky.	Fitzgerald, Mass.	McClellan,	Ryan, Pa.
Atwater,	Fitzgerald, N. Y.	McCulloch,	Salmon,
Bailey, Tex.	Fleming,	McDowell,	Scudder,
Ball,	Foster,	McLain,	Shackelford,
Bankhead,	Fox,	McRae,	Shafroth,
Barber,	Gaines,	Maddox,	Sheppard,
Bellamy,	Gayle,	Mann,	Sims,
Benton,	Gilbert,	May,	Slayden,
Brantley,	Gordon,	Meekison,	Smith, Ky.
Breazeale,	Green, Pa.	Meyer, La.	Snodgrass,
Brenner,	Griffith,	Miers, Ind.	Spight,
Brundidge,	Hall,	Moon,	Stallings,
Burke, Tex.	Hay,	Muller,	Stark,
Burleson,	Henry, Miss.	Naphen,	Stephens, Tex.
Burnett,	Henry, Tex.	Newlands,	Sulzer,
Caldwell,	Howard,	Norton, Ohio	Sutherland,
Carmack,	Jett,	Norton, S. C.	Swanson,
Clayton, Ala.	Johnston,	Otey,	Talbert,
Cochran, Mo.	Jones, Va.	Pierce, Tenn.	Tate,
Cooney,	King,	Polk,	Terry,
Cooper, Tex.	Kitchin,	Quarles,	Thayer,
Cowherd,	Kleberg,	Ransdell,	Thomas, N. C.
Cox,	Klutz,	Rhea, Ky.	Turner,
Crowley,	Lamb,	Rhea, Va.	Underwood,
Cusack,	Lanham,	Richardson, Ala.	Vandiver,
Davenport, S. W.	Latimer,	Richardson, Tenn.	Wheeler,
Davis,	Lentz,	Ridgely,	Williams, J. R.
De Armond,	Lester,	Riordan,	Williams, W. E.
De Graffenreid,	Little,	Rixey,	Williams, Miss.
Denny,	Livingston,	Robb,	Zenor,
Dinsmore,	Lloyd,	Robinson, Ind.	Ziegler,
Dougherty,	Loud,	Robinson, Nebr.	
Driggs,	McAleer,	Rucker,	
Driscoll,		Ruppert,	

ANSWERED "PRESENT"—4.

Cooper, Wis.	Cummings,	Littlefield,	Smith, H. C.
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NOT VOTING—51.

Allen, Miss.	Chanler,	Lassiter,	Small,
Bartlett,	Clark,	Levy,	Sparkman,
Bell,	Clayton, N. Y.	Lorimer,	Stokes,
Berry,	Crump,	McDermott,	Taylor, Ala.
Bingham,	Davey,	Metcalf,	Thropp,
Boutelle, Me.	Elliot,	Mudd,	Underhill,
Bradley,	Faris,	Neville,	Wadsworth,
Brewer,	Fitzpatrick,	Noonan,	White,
Broussard,	Gaston,	Pearson,	Wilson, Idaho
Bull,	Glynn,	Powers,	Wilson, N. Y.
Burton,	Graham,	Reeder,	Wilson, S. C.
Campbell,	Griggs,	Reeves,	Woods,
Catchings,	Landis,	Robertson, La.	

So the motion was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. WADSWORTH with Mr. LEVY.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

For the balance of the day:

Mr. FARIS with Mr. BELL.

Mr. MUDD with Mr. GASTON.

Mr. METCALF with Mr. DAVEY.

On this vote:

Mr. BULL with Mr. GRIGGS.

Mr. POWER with Mr. CUMMINGS.

During the roll call, after the name of Mr. HULL had been called:

Mr. LENTZ. Mr. Speaker, I make the point of order that the gentleman from Iowa, having admitted that he has an interest in this matter, is not entitled to vote.

The SPEAKER. The gentleman has already voted. The point of order is overruled.

The roll call was resumed and concluded.

Mr. SULZER. Mr. Speaker, there was so much confusion during the call, and the vote being of so much importance, I ask a recapitulation.

The SPEAKER. The Chair thinks it unnecessary—the difference is so great.

Mr. LENTZ. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. LENTZ. I find in the Manual that "where the private interests of a member are concerned in a question" pending before the House "he is to withdraw." Now I make the point of order that, by his own admission, the gentleman from Iowa is interested in this question.

The SPEAKER. But the gentleman will also find in the Digest that it is the uniform practice that each gentleman must be the judge of that for himself. The Chair overrules the point of order.

The result of the vote was then announced, as above recorded.

On motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I present a final conference report on the Indian appropriation bill, and I ask unanimous consent to dispense with the reading of the report and that the statement only be read.

The SPEAKER. Without objection, that will be done.

Mr. BAILEY of Texas. Mr. Speaker, I want to ask the gentleman from New York if the conferees have attempted to engraft upon the Indian appropriation bill any treaty between the Dawes Commission and the Chickasaw Indians.

Mr. SHERMAN. None whatever.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12904) making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 51 and 52; that the House recede from its disagreement to the amendments of the Senate numbered 45 and 56, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: After the word "payments," in line 18 of said amendment, insert "gratuities;" at the end of said amendment, after the word "passed," in line 20, add the following: "Proceedings shall be commenced by petition verified by the attorney for said Indians who appears for and on their behalf, and said case shall have preference and be advanced on the docket of said court; and if said court shall find that said bands preserve their loyalty to the United States, they shall ascertain and state the amount that would be due to said Indians on account of said annuities had said act of Congress of February 16, 1863, not been passed, stating in connection therewith what credits should be charged against said annuities on account of the lands, appropriations, payments, gratuities, or other provisions as hereinbefore stated;" and the Senate agree to the same.

J. S. SHERMAN,
CHARLES CURTIS,
JOHN S. LITTLE,

Managers on the part of the House.

JOHN M. THURSTON,
O. H. PLATT,
R. F. PETTIGREW,

Managers on the part of the Senate.

The Clerk read the statement, as follows:

The House recedes from amendment No. 45, which amendment provides that where the proper officers of the Choctaw and Chickasaw nations fail to appoint town-site commissioners, the Secretary of the Interior may make such appointment.

The House recedes from amendment No. 56, which amendment provides for a closing of the rolls of the Five Civilized Tribes.

The House recedes, from amendment No. 62, which amendment refers to the Court of Claims for examination and a report to Congress of its opinion thereon the claims of the Sisseton and Wahpeton band of Indians against the United States.

The Senate recedes from amendment No. 52, which was a provision relating to mineral lands on Executive reservations. The Senate also recedes from amendment No. 51, providing for a further survey of the Gila River, the last amendment being the one in which the House refused to concur on the 23th ultimo.

The conference report was then agreed to.

MESSAGES FROM THE PRESIDENT.

Sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also informed the House

of Representatives that the President had approved and signed joint resolution and bills of the following titles:

On February 28, 1901:

H. J. Res. 74. Joint resolution authorizing articles imported from foreign countries, for the sole purpose of exhibition at the San Antonio International Fair and at the Texas State Fair and Dallas Exposition, to be held in the cities of San Antonio, Tex., and Dallas, Tex., to be imported free of duty, under regulations prescribed by the Secretary of the Treasury;

H. R. 4718. An act to regulate the collection and disbursement of moneys arising from leases made by the Seneca Nation of New York Indians, and for other purposes;

H. R. 2473. An act granting a pension to Mary J. Fouts;

H. R. 5639. An act granting a pension to Harlin Keeling;

H. R. 6417. An act granting a pension to Eliza C. Johnson;

H. R. 9526. An act granting a pension to N. Marietta Chapman;

H. R. 10046. An act granting a pension to Rosa Cox;

H. R. 10995. An act granting a pension to William Mitchell;

H. R. 11085. An act granting a pension to Mary M. Sprandel;

H. R. 12121. An act granting a pension to Caroline H. Wright;

H. R. 12304. An act granting a pension to Mary B. Whiteley;

H. R. 12434. An act granting a pension to Marie Barton Greene;

H. R. 12686. An act granting a pension to John W. Conely;

H. R. 12775. An act granting a pension to Sarah Miller;

H. R. 13160. An act granting a pension to Sarah M. Lowell;

H. R. 13567. An act granting a pension to Martha M. Stephens;

H. R. 154. An act granting an increase of pension to Benjamin F. Shott;

H. R. 2506. An act granting an increase of pension to Joseph Kemper;

H. R. 3233. An act granting an increase of pension to Nicholas B. Ireland;

H. R. 3754. An act granting an increase of pension to Solomon Delzell;

H. R. 2820. An act granting an increase of pension to Edgar Hill;

H. R. 3883. An act granting an increase of pension to William H. Ransom;

H. R. 4232. An act granting an increase of pension to Philip Volkner;

H. R. 6503. An act granting an increase of pension to William Gross;

H. R. 8380. An act granting an increase of pension to Reamus G. Morris;

H. R. 8577. An act granting an increase of pension to Levi C. Hare;

H. R. 9584. An act granting an increase of pension to Samuel F. Bell;

H. R. 10331. An act granting an increase of pension to Sylvanus A. Gifford;

H. R. 10382. An act granting an increase of pension to James Mason;

H. R. 10689. An act granting an increase of pension to Michael Falkoner;

H. R. 10694. An act granting an increase of pension to Katharine J. Gilman;

H. R. 10718. An act granting an increase of pension to James Gatton;

H. R. 10748. An act granting an increase of pension to Julius Sporleder;

H. R. 10978. An act granting an increase of pension to Augustus L. Chetlain;

H. R. 11529. An act granting an increase of pension to Don Farrington;

H. R. 11618. An act granting an increase of pension to John Burns;

H. R. 11798. An act granting an increase of pension to Lealdes F. Lavery;

H. R. 11807. An act granting an increase of pension to John H. Bliss;

H. R. 12180. An act granting an increase of pension to Gilbert L. Pierce;

H. R. 12883. An act granting an increase of pension to Condly Menalis;

H. R. 12997. An act granting an increase of pension to Thomas J. Young;

H. R. 13088. An act granting an increase of pension to Peter Brunette;

H. R. 13214. An act granting an increase of pension to Jacob C. Hansel;

H. R. 13447. An act granting an increase of pension to Benjamin Eason; and

H. R. 12456. An act relating to the Metropolitan police of the District of Columbia.

On March 1, 1901:

H. R. 3376. An act for the relief of Franklin Lee and Charles F. Dunbar; and

H. R. 13575. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1902, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12904) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes.

DANIEL COONAN.

Mr. CAPRON. Mr. Speaker, I present the conference report on the bill (S. 3283) for the relief of Daniel Coonan, and I ask that the reading of the report be omitted and only the statement be read.

The SPEAKER. Without objection, the reading of the report will be omitted.

There was no objection.

The report is as follows:

The committee of conference on the disagreeing votes between the two Houses on the amendment of the House to the bill (S. 3283) for the relief of Daniel Coonan, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In line 2 of the amendment strike out the word "pensions;" and the House agree to the same.

A. B. CAPRON,

F. C. STEVENS,

THOS. M. JETT,

Managers on the part of the House.

J. C. BURROWS,

F. E. WARREN,

F. M. COCKRELL,

Managers on the part of the Senate.

The statement was read, as follows:

The foregoing act, having passed the Senate, was amended in the House by adding the following proviso: "Provided, That no pay, bounty, pension, or other emoluments shall become due or payable by virtue of the passage of this act."

The Senate disagreed to this House amendment, whereupon a conference was ordered.

The conferees have agreed that the said proviso be stricken out and the following be enacted in lieu thereof: "Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

This is the usual proviso adopted for such bills, and is the same as adopted by the House, with the exception that the word "pension" is stricken out.

The conference report was agreed to.

DELINQUENT CHILDREN IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I present the conference report on the bill (H. R. 13067) to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes, and I ask that the reading of the report be omitted and that the statement only be read.

The SPEAKER. The gentleman asks that the reading of the report be omitted and that the statement only be read. Without objection, that will be done.

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13067) to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, and 6; and agree to the same.

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: At the end of line 1 of said amendment insert "of sufficient financial ability," and in line 3 strike out "willfully and unnecessarily;" and the Senate agree to the same.

J. W. BABCOCK,

JOHN J. JENKINS,

ADOLPH MEYER,

Managers on the part of the House.

JAMES McMILLAN,

WILLIAM P. DILLINGHAM,

RICHARD R. KENNEY,

Managers on the part of the Senate.

The statement was read, as follows:

The managers on the part of the House of Representatives make the following statement of the result of the conference with the managers on the part of the Senate on the disagreeing votes of the two Houses on the amendments to House bill H. R. 13067:

The conferees agreed upon amendment numbered 1 with an amendment providing that persons amenable to the provisions of this act shall have sufficient financial ability, and also struck out the words "willfully and unlawfully," which were considered objectionable.

The House recedes from the amendments of the Senate numbered 2, 3, 5, and 6.

The Senate recedes from amendment numbered 4, the provisions of which were considered too drastic and undesirable, in that it provided that a person failing to obey the orders of the court for the maintenance and support of

any child under 14 years of age should be deemed a fugitive from justice and subject to indictment.

The question was taken; and the conference report was agreed to.

PROTECTION OF BIRDS AND GAME IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I also present a conference report on the bill (H. R. 11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia," and I ask that the reading of the report be omitted and the statement be read.

The SPEAKER. Without objection, that will be done.

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: On page 1, line 11, of the bill, strike out "1st day of February" and insert "15th day of March;" and on page 2, line 13, of the bill, strike out "1st day of February" and insert "15th day of March;" and the Senate agree to the same.

That the House agree to the amendments of the Senate numbered 2 and 3.

J. W. BABCOCK,

JOHN J. JENKINS,

ADOLPH MEYER,

Managers on the part of the House.

JAMES McMILLAN,

J. H. GALLINGER,

THOMAS S. MARTIN,

Managers on the part of the Senate.

The Clerk read the statement, as follows:

The managers on the part of the House of Representatives make the following statement of the result of the conference with the managers on the part of the Senate on the disagreeing vote of the two Houses on the amendments to the House bill 11881:

The House agrees to the amendments of the Senate with an amendment providing that the closed season, during which any partridge, otherwise quail, prairie chicken, otherwise pinnated grouse, may not be killed, exposed for sale, or had in possession of any party in the District of Columbia, shall be between the 15th day of March and the 1st day of November in each year, in place of between the 1st day of February and the 1st day of November.

The conference report was agreed to.

DISPOSITION OF LAND IN OKLAHOMA.

The SPEAKER. The Chair lays before the House the bill (H. R. 12901) to supplement existing laws relating to the disposition of land with Senate amendments.

The Senate amendments were read.

Mr. LACEY. Mr. Speaker, I move to concur in the Senate amendments, with the following amendment:

The Clerk read the amendment, as follows:

The lands to be opened to settlement and entry under the acts of Congress ratifying said agreements, respectively, shall be so opened by proclamation of the President, and to avoid the contests and conflicting claims which have heretofore resulted from opening similar public lands to settlement and entry, the President's proclamation shall prescribe the manner in which these lands may be settled upon, occupied, and entered by persons entitled thereto under the acts ratifying said agreements, respectively; and no person shall be permitted to settle upon, occupy, or enter any of said lands except as prescribed in such proclamation until after the expiration of sixty days from the time when the same are opened to settlement and entry.

Mr. McRAE. Mr. Speaker, I would like to ask the gentleman if this amendment is in print?

Mr. LACEY. It is not.

Mr. McRAE. I wish the gentleman would explain it, and I reserve any point of order there may be against it.

Mr. LACEY. It is desired to make some arrangement to prevent an Oklahoma rush or race. A proposition was prepared by the gentleman from Texas [Mr. STEPHENS], covering some system of drawing, but the details could not be agreed upon. This is a proposition which permits the President, or the Secretary of the Interior by direction of the President, to prepare some method by which that rush may be avoided.

In the previous rushes there was so much fraud, so much conflict that even to-day there are cases pending on file and not disposed of where two or three or more persons absolutely had their entire lives tied up for seven or eight years in a controversy over a piece of land. It is proposed to give the President the power to make some rules and regulations that will prevent that.

Mr. McRAE. What remedy does the gentleman propose?

Mr. LACEY. We do not attempt to define what the regulation shall be. My own idea would be some system of drawing.

Mr. McRAE. The matter is to be referred to the Secretary of the Interior, under the direction of the President, to prepare some system?

Mr. LACEY. Yes. The bill was carefully prepared by the gentleman from Texas [Mr. STEPHENS], but as it was very late in the session it did not secure action in the House.

Mr. STEPHENS of Texas. Has the gentleman stated the only change?

Mr. LACEY. There is one other change—a provision put in by the Secretary of the Interior as to the boundaries of the counties. I do not think that is of much importance.

Mr. ROBINSON of Indiana. I would like to know whether the privileges of Union soldiers are fully secured in reference to this land?

Mr. LACEY. The privileges which they have by existing law are fully preserved by the bill.

Mr. ROBINSON of Indiana. Then, as I understand, the bill as amended makes no change in that respect.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. LACEY. I ask unanimous consent that a conference with the Senate be requested.

There was no objection.

The SPEAKER announced the appointment of Mr. LACEY, Mr. MONDELL, and Mr. SHAFROTH as conferees on the part of the House.

SHIPMENT OF HORSES, ETC., FOR USE IN SOUTH AFRICA.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the House of Representatives:

I transmit herewith a report from the Secretary of State in response to the resolution of the House of Representatives of February 19, 1901, requesting him to furnish that body "all the information in the possession of the State Department relating to the shipment of horses and mules from New Orleans in large numbers for the use of the British army in the war in South Africa."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, March 1, 1901.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

H. R. 13803. An act to amend section 19 of chapter 252, Twenty-ninth Statutes at Large, approved May 28, 1896;

H. R. 10899. An act to restore to the public domain a small tract of the White Mountain Apache Indian Reservation in the Territory of Arizona;

H. R. 13865. An act relative to the suit instituted for the protection of the interests of the United States in the Potomac River Flats;

H. R. 13801. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1902;

H. R. 13707. An act authorizing the Citizens' Bridge Company to construct a bridge across the Mississippi River;

H. R. 13850. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1902;

H. R. 7571. An act to prevent the failure of military justice, and for other purposes;

H. J. Res. 259. Joint resolution to regulate the distribution of public documents to the Library of Congress for its own use and for international exchange;

H. R. 11161. An act to refund excessive postage paid on certain newspapers;

H. J. Res. 249. Joint resolution providing for the publication of the report of the board of management of the United States Government exhibit at the Tennessee Centennial Exposition;

H. R. 7760. An act for the relief of James Kelly;

H. R. 3819. An act for the relief of the widows and children of William Ryan and John S. Taylor, deceased;

H. R. 12394. An act to amend an act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898, and to reduce taxation thereunder; and

H. R. 5220. An act for the relief of Charles M. Kennedy.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 323. An act granting homesteaders on abandoned Fort Fetterman Military Reservation, in Wyoming, the right to purchase one quarter section of public land on said reservation as pasture or grazing land;

H. R. 12396. An act to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said act; and

H. J. Res. 306. A joint resolution concerning printing of additional copies of the Annual Report of the Geological Survey.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. R. 164. Joint resolution giving the Commissioners of the District of Columbia authority to provide for the public comfort;

S. 6012. An act to provide an American register for the steam yacht *May*;

S. 5935. An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.; and

S. 6054. An act authorizing the Texas and Pacific Railway Company to construct a bridge across Red River, Louisiana.

CLAIMS FOR INDIAN DEPREDACTIONS.

The SPEAKER also laid before the House the following veto message of the President of the United States; which was read:

To the House of Representatives:

I return herewith, without approval, House bill No. 3204, entitled "An act to refer certain claims for Indian depredations to the Court of Claims."

General relief has been extended to citizens who have lost property by reason of Indian depredations by the act of March 3, 1891, conferring jurisdiction upon the Court of Claims to hear and determine such cases. That act provides for payment for damages growing out of depredations committed by any Indian or Indians belonging to a band, tribe, or nation in amity with the United States, excluding from consideration all claims which originated during the existence of actual hostilities between the United States and the Indian tribe.

In making this discrimination the act of 1891 follows the general principle which has been asserted in all general legislation which has ever been enacted for the payment of claims for property destroyed by Indians. The first act which promised such indemnity, that of May 19, 1790, contained the same restriction, and it was reported in every subsequent general act of Congress dealing with the subject. This policy, which has been clearly manifested from the beginning, is in accord with the recognized principle that a nation is not liable for damage to the private property of its citizens caused by the act of the public enemy. This statute has been thoroughly considered by the Court of Claims and by the Supreme Court and its interpretation fixed, and it has been declared to be in accord not only with the policy of Congress as expressed through the legislation of a century, but with the general principles of international law.

I am informed that the records of the Court of Claims show that the claims of four of the five beneficiaries named in the present bill have been presented to that court under the general law and decided adversely, the court having held that a state of war existed between the United States and the Sioux Indians in the year 1862, when the claims arose. The remaining claim, which originated under the same circumstances and at the same time, would, of course, be subject to the same defense if presented.

The bill provides that these claims shall be sent back to the Court of Claims for trial, according to the principles and rules which governed the commission appointed under the act of February 16, 1863. That act, which was a special act relating to losses occurring during the hostilities of the previous year, did not, of course, impose the requirement of amity, the claims allowed by the commission being paid out of funds belonging to the hostile Indians sequestered by the statute. The effect of this bill if it became a law would be to provide for the payment out of the Treasury of the United States of these claims, which were not presented for payment out of the Indian funds and which have been rejected by the courts under the general law.

There are many hundreds of cases, aggregating a large amount claimed, which have been filed in the Court of Claims, but which are excluded from its jurisdiction for the same reason which necessitated the dismissal of the petitions filed by these claimants. There is no legal obligation on the part of the United States and no promise, express or implied, for the payment of such claims.

The measure of governmental liability is fulfilled by the passage of the act of March 3, 1891, and the prompt payment of the judgments rendered thereunder. To single out for payment a few claims of this large class, to the exclusion of all others, would, in my judgment, be unjust; and such action would also with reason be cited as a precedent for extending governmental aid in all similar cases.

For the reasons given I am constrained to withhold my approval from the bill.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, March 1, 1901.

Mr. MAHON. I move that the message just read be referred, with the accompanying bill, to the Committee on War Claims, and be ordered to be printed.

The motion was agreed to.

APPOINTMENT AND PAYMENT OF HOUSE EMPLOYEES.

The SPEAKER announced the appointment of Mr. HEMENWAY, Mr. WARNER, Mr. LONG, Mr. NEWLANDS, and Mr. MADDOX as the committee provided for by House resolution No. 439 to frame and report to the next House a bill to regulate the appointment of and payments to the employees of the House of Representatives.

WITHDRAWAL OF PAPERS.

Mr. ZIEGLER, by unanimous consent, obtained leave to withdraw from the files of the House papers in the cases of Charnton C. Mullen and George W. Hope (Fifty-sixth Congress), no adverse report having been made.

LEAVE OF ABSENCE.

Mr. METCALF, by unanimous consent, obtained leave of absence for this day on account of sickness.

ORDER OF BUSINESS FOR TO-MORROW.

Mr. PAYNE. I ask unanimous consent that the House now take a recess until 9 o'clock to-morrow morning, and that from 9 till 11 o'clock to-morrow it shall be in order only to ask unanimous consent or to move to suspend the rules.

The SPEAKER. The gentleman from New York asks unanimous consent that the House now take a recess until 9 o'clock to-morrow morning, and that the two hours, from 9 till 11 o'clock, be devoted entirely to matters brought up by unanimous consent or under suspension of the rules. Is there objection?

Mr. HENRY of Mississippi. I want to ask whether that will give the War Claims Committee an opportunity to bring up the resolution sending a number of claims to the Court of Claims?

The SPEAKER. That will depend upon the class of business for which gentlemen are recognized. [Laughter.] The Chair hears no objection to the proposed order; and it is adopted.

The House accordingly (at 6 o'clock and 10 minutes p. m.) took a recess until 9 o'clock to-morrow morning.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of John Beal against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting a final report of inspection of buildings in this city occupied by the War Department—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of War, transmitting the report of a board of officers recommending the purchase of land for barracks and officers' quarters at Fort Schuyler—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DAYTON, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 14309) for the reward of enlisted men of the Navy or Marine Corps, reported the same without amendment, accompanied by a report (No. 2980); which said bill and report were referred to the House Calendar.

Mr. McCLEARY, from the Committee on the Library, to which was referred the joint resolution of the House (H. J. Res. 313) for the erection of a monument to the memory of Dorothea Lynde Dix, reported the same without amendment, accompanied by a report (No. 2985); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PARKER of New Jersey, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13910) to remove the record of dishonorable discharges from the military records of John Shamburger, Louis Smith, and Henry Metzger, reported the same without amendment, accompanied by a report (No. 2982); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 5133) for the relief of William D. Rutan, reported the same without amendment, accompanied by a report (No. 2983); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. PARKER of New Jersey, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3598) to enable the President to restore Second Lieut. Henry Ossian Flipper to duty, rank, and status in United States Army, reported the same adversely, accompanied by a report (No. 2981); which said bill and report were ordered to lie on the table.

Mr. PEARRE, from the Committee on the District of Columbia, to which was recommitted the bill of the House (H. R. 13660) relating to the Washington Gaslight Company, and for other purposes, reported the same adversely, accompanied by a report (No. 2984); which said bill and report were ordered to lie on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. COOPER of Texas: A bill (H. R. 14318) authorizing the appointment of a clerk for the district courts of the eastern district of Texas at Sherman and Beaumont, Tex., and for other purposes—to the Committee on the Judiciary.

By Mr. RIDGELY: A bill (H. R. 14319) to provide means of determining and expressing the total quantities of all kinds of property in the United States in decimal terms independent of value—to the Committee on Coinage, Weights, and Measures.

By Mr. GILLET of Massachusetts: A bill (H. R. 14324) to prevent superannuation and favoritism in the classified civil service—to the Committee on Reform in the Civil Service.

By Mr. GROUT: A concurrent resolution (H. C. Res. 91) for

printing hearings on anti-oleomargarine bill—to the Committee on Printing.

By Mr. ESCH: A memorial from the legislature of Wisconsin, for repeal of certain war-revenue taxes—to the Committee on Ways and Means.

By Mr. DAHLE: A memorial from the legislature of Wisconsin, for repeal of certain war-revenue taxes—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 14320) to correct the military record of George L. Hayne, late first lieutenant Company C, First Regiment Louisiana Cavalry—to the Committee on Military Affairs.

By Mr. COOPER of Texas: A bill (H. R. 14321) granting an increase of pension to Henry E. Munger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14322) granting a pension to Martha A. Holingseed—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 14323) for the relief of Luke Stinnett—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Petition of Platteville (Wis.) Woman's Christian Temperance Union, urging the passage of House bill No. 12551, for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. BELL: Resolutions of the Chicago Federation of Labor and National Business League, of Chicago, Ill., opposing the cession of the lands of the States and recommending the Government building of irrigation works—to the Committee on Irrigation of Arid Lands.

Also, petition of citizens of Colorado Springs, Colo., favoring antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BOWERSOCK: Resolution of the Commercial Club of Fredonia, Kans., against the establishment of the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. BURKETT: Resolutions of the Chicago Federation of Labor and of the National Business League, for the reclamation of the arid lands in the Western States—to the Committee on Irrigation of Arid Lands.

Also, petitions of the Woman's Christian Temperance Union, Christian, Baptist, and Methodist Episcopal churches of Peru, and 70 citizens of Murray, Nebr., favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. COOPER of Texas: Papers to accompany House bill granting an increase of pension to Henry E. Munger, of Orange, Tex.—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolutions of the National Business League for the reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, petition of Young People's Christian Union of St. Paul's Universalist Church of La Crosse, Wis., favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. FOWLER: Petitions of S. P. Hall and others of Plainfield, and Edwin Ferris and others of Montclair, N. J., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of Union County, N. J., Woman's Christian Temperance Union for the prohibition of the sale of firearms, opium, and intoxicating liquors to the inhabitants of the New Hebrides and other islands—to the Committee on Alcoholic Liquor Traffic.

By Mr. GROSVENOR: Petitions of J. R. McFie, of Santa Fe, N. Mex., and G. B. Hubbard and 8 others, favoring the exclusion of alcoholic liquor from countries inhabited chiefly by native races—to the Committee on Alcoholic Liquor Traffic.

By Mr. HEMENWAY: Petition of W. M. Chappell and other citizens of Oakland City, Ind., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. KETCHAM: Petition of citizens of Ulster County, N. Y., in behalf of the passage of the Gillett bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. MANN: Petitions of the National Business Men's League and Heath & Milligan Manufacturing Company, of Chicago, Ill., for irrigation of arid lands, and Government to give title to none but actual settlers on any public lands—to the Committee on the Public Lands.

By Mr. MERCER: Resolutions of the Chicago Federation of Labor and Iron Moulders' Union of Omaha, Nebr., advocating the holding of the public lands in the West for the benefit of the people and favoring irrigation—to the Committee on Irrigation of Arid Lands.

By Mr. RAY of New York: Petition of Elizabeth McNeal and others favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. RUPPERT: Resolutions of the National Business League of Chicago, Ill., in relation to the reclamation and settlement of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. RYAN of New York: Resolutions of the National Business Men's League, for the reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. SPALDING: Petition of the Presbyterian churches of Galesburg and Broadlawn, in Traill and Steele counties, N. Dak., for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. SIBLEY: Petition of citizens of the Twenty-seventh Congressional district of Pennsylvania, in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of citizens of Raymilton, Pa., asking for the abolishment of the alcoholic liquor traffic from the continent of Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. SPERRY: Petitions of citizens of Waterbury and East Haven, Conn., and Woman's Christian Temperance Union of Putnam, Conn., for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. SULZER: Resolutions of the National Business Men's League of Chicago, Ill., relating to the reclamation and settlement of Government lands—to the Committee on Irrigation of Arid Lands.

By Mr. SUTHERLAND: Resolutions of the Chicago Federation of Labor, and of National Business League, held at Chicago, favoring appropriations for surveys, dams, and canals throughout the great West—to the Committee on Irrigation of Arid Lands.

Also, petitions of the Woman's Missionary Society of Nelson, Nebr., and A. L. Hunting and 64 others, of Arapahoe, Nebr., for the prohibition of intoxicating liquors in certain islands—to the Committee on Alcoholic Liquor Traffic.

By Mr. TOMPKINS: Petitions of Rev. I. R. Thompson, Rev. W. K. Hall, and certain churches of Newburgh, N. Y., for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. WADSWORTH: Petition of the Woman's Christian Temperance Union of Wyoming, N. Y., and of Friends' Church of Batavia, N. Y., favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. YOUNG: Petition of the National Business League, favoring the reclamation and irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

SENATE.

SATURDAY, March 2, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

REPAIR OF BARRACKS, MARINE CORPS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting an estimate of deficiency in the appropriation for "repair of barracks, Marine Corps," for the fiscal year 1901, \$17,500. Does the Senator from Iowa desire to have it printed or simply referred?

Mr. ALLISON. It need not be printed. The deficiency appropriation bill will be reported this morning, and the communication may just as well lie on the table.

The PRESIDENT pro tempore. It will lie on the table.

INDIAN DEPREDAATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to the resolution of the 28th ultimo, a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

DAUGHTERS OF THE AMERICAN REVOLUTION.

The PRESIDENT pro tempore laid before the Senate the third annual report of the National Society of the Daughters of the